

The Nation.

NEW YORK, THURSDAY, MARCH 4, 1875.

The Week.

CONGRESS has at last passed the Civil-Rights Bill, and the President has signed it. The bill, as passed, does not enforce mixed schools, and only secures negroes equal rights in public conveyances, inns, theatres, and other places of amusement. While the bill was on its passage in the Senate, Mr. Tipton of Nebraska moved to insert the word "churches" after the word "theatres," including the former under the head of places of amusement—a suggestion which of course brought down the galleries, though it really is not much more amusing than the bill itself. The negroes of the South, being mainly occupied in tilling the soil, or in labor of some kind, are not as a rule in the habit of travelling much from place to place; and when they do go from time to time to some local court-house or county-seat for a holiday, they are apt to move in crowds on foot, or in wagons not subject to the jurisdiction of Congress. They do not frequent hotels much, for similar reasons, and the number of theatres and opera-houses in the South is not so great as to warrant the expectation of a great advance of the race through the influence of the drama and music. Indeed, it is a harmless bill, and does not seem to have had much effect on public opinion in the South. The chief objection to it is its entire unconstitutionality, which Mr. Carpenter showed, much to the consternation of the Radical Republicans, in an able and convincing speech. Besides this, the Senate has passed the bills admitting Colorado and New Mexico as States, the bill for changing the mode of counting the votes on the Presidential ticket, the Tax and Tariff Bill, and the bill for the equalization of bounties.

The House has passed the Sundry Civil Appropriation Bill, and Judge Poland's Arkansas resolution. The Force Bill went through substantially as it came from the caucus, the only changes made being the insertion of provisions restricting the President's right to suspend the habeas corpus to the States of Louisiana, Arkansas, Mississippi, and Alabama, and limiting the operation of the habeas corpus section to "the term of two years, and from thence until the end of the next session of Congress thereafter, and no longer." The Democrats resorted to filibustering to prevent the introduction of the Force Bill, and the House had a night session in consequence, notwithstanding the new rule passed to prevent it. During the proceedings the Republicans were led by General Butler, and the Democrats by Mr. Randall, and the chair, during most of the time, was occupied by Mr. Blaine, who showed great fairness and strength in managing the House. The Louisiana resolutions introduced by Mr. Hoar's committee, one recognizing Kellogg and the other recommending the Kellogg legislature to remedy the injustice done the Conservatives, by reseating the five members expelled, have also been passed. The Louisiana Conservative caucus has accepted what is called the "Wheeler Compromise," the details of which we gave a week or two ago; and the sum and substance of which is that the Democrats shall have the House of Representatives, but that Kellogg shall not be turned out of office, but treated as the legal Governor till the end of his term. Although the means taken to arrive at this result have been somewhat extraordinary, we have no doubt whatever that it is the best arrangement that can now be made. It would put the Conservatives in a position of security, and at the same time the recognition of Kellogg is just the kind of sop to satisfy the Administration Cerberus, and can hardly make the situation at New Orleans any worse than it is now, as Kellogg is certain to be kept in office by the troops for a good while in any case.

The newspapers and "constitutional lawyers" who undertook two weeks ago to show that the expulsion of the five members by Gene-

ral De Trobriand and the soldiers was lawful and justifiable, must not now begin applauding the settlement, and pretending it is what they always recommended. It appears from the vote of the House that these five members were lawfully returned; that they had the right to sit and vote in the legislature; that in leaving their names off the roll the Returning Board acted fraudulently. It appears, too, from the recommendation to the legislature to seat them, that the legislature is the judge of the matter, and nobody else, and that the majority present on the 4th of January was alone competent to pass on their qualifications. As a matter of fact, however, their qualifications were passed on by a military officer and fifteen soldiers, called in from the street by an insubordinate minority. There never was even a semblance of right about the matter, and yet we had for some weeks to listen to a great quantity of smart *nisi-prius* sophistry; Mr. Conkling, as might have been expected, contributing fourteen columns of it, showing that the presence of the five members made the legislature a riotous mob, and authorized armed interference with its proceedings. The persons and journals who treated us to this will, however, now go about looking as wise as ever, wagging their heads and giving advice, in full reliance on the popular forgetfulness. But ought folly of this sort, which it is no exaggeration under the circumstances to call criminal, to be forgotten in a month or two?

One of the most remarkable circumstances attending the passage of the Force Bill is the fact that two-thirds of the majority which passed it is composed of members who are to go out of political life on the 4th of March. Another is that they have deliberately empowered the President to suspend the habeas corpus in one State, Arkansas, which the House has actually decided, after enquiry, to be peaceable and orderly. Moreover, when recently some so-called Union soldiers signed a paper confirming the hap-hazard account given by General Sheridan of the disorderly condition of the State and the prevalence of "murders," Governor Garland promptly directed the district-attorney to hunt up the signers, and bring them before the grand jury, to testify on oath about the "outrages" of which they professed to have knowledge. This was done, but before the grand jury they had no knowledge of anything whatever. They had *heard tell* of "murders and outrages," and presumed they must have occurred; but this was all. What makes the conduct of the majority all the worse is that Brooks and his set, for whose restoration by force of arms the Shepherd clique and the President are laboring, are the same gang who performed the feats of plunder on the State treasury which we described three weeks ago, and who are now anxious to go back to their work. The comic feature in the matter is Butler's professions of philanthropy and of reliance on an overruling Providence—not that there is anything amusing in his cant and hypocrisy, but in his belief that it affects the public mind.

The Mississippi majority report declares that shortly after the election of Crosby as sheriff of Warren County a taxpayers' league was formed for the purpose of correcting abuses in the administration of public trusts; that subsequently, however, another organization made its appearance, which was undoubtedly a branch of the White Leaguers, its object being to prevent negroes from holding office in any case; that this White League captured the taxpayers' organization, and then began their work by patrolling the streets of Vicksburg, going to registration in armed bodies, etc., etc.; that society is in a disorganized state, and that Governor Ames was amply justified in applying for troops, and the President in furnishing them. The minority report, on the other hand, states that the white citizens in Vicksburg pay 99 per cent. of the taxes; that the negroes assess, collect, and disburse them; that the debt of the city, which in 1860 was \$13,000, is now \$1,400,000, the population being 11,000;

that a "corrupt and infamous ring," in collusion with Peter Crosby, the sheriff and tax-collector, got hold of the city, and rendered the administration of justice impossible; that Cardozo, the leader of the ring, being indicted, the judge of one of the courts—as we understand it, the court which was to try him—publicly pronounced it a case of "persecution"; that the taxpayers' league had no partisan objects; that Crosby's bonds were utterly insufficient; that the supervisors corruptly declined to compel him to give good bonds; that the taxpayers had therefore no remedy but to request Crosby's resignation; that his resignation was voluntary; that the fight on December 7th was solely caused by the negroes, incited by Crosby, attempting to invade the city; that the whites only defended themselves against an attack; that there is no White League in Mississippi; that the call of the Governor for troops was based on untrue statements; and that, Crosby having resigned, and Flanagan being elected and in peaceable possession of the office, he was marched out at the point of the bayonet by United States troops.

The Alabama Committee is also divided in opinion, and is, indeed, an excellent example of the *reductio ad absurdum* in politics. The majority say that the condition of the State is terrible; that the blacks are slaughtered whenever they show themselves in the neighborhood of the polls; that the whites who vote the Republican ticket are lucky if they escape with "ostracism"; that, when an election occurs, the State is invaded by piratical repeaters from Georgia, armed to the teeth, no doubt, who make law a mockery, justice a farce, and the voice of the people an empty echo of the rebel yell. On the other hand, the minority report that the State is in a condition of profound peace; that the negroes are happy and contented; that there are no more outrages done and no more need of troops than in Missouri or California. The report also discusses at length the stories of Mr. Charles Hays, which made so much noise last fall; these, the majority say, are substantially corroborated by the evidence, and the minority say are a bundle of lies. The minority complain of the majority for not letting the committee go into the "bacon-intimidation" branch of the subject; and, finally, the majority declare that nothing will pacify Alabama short of the Force Bill, and the bill was actually passed under the supervision of this remarkable committee.

Colorado and New Mexico will, it is hoped by Republicans, send four strict party men to the Senate, and thus make the party a little more sure than it can be said to be at present of having a working majority in that body to act with the President. In passing the bill admitting these States, the Senate amended it so as to require constitutions which shall contain no distinctions in political or civil rights founded on race or color; and the fate of the bill is still undecided. The senatorial elections are all over, with the exception of one vacancy from Louisiana, and they have decidedly changed the political complexion of that body. The *Boston Journal*, which is not usually lukewarm when there are figures to be counted, classifies the Senate as Republicans, forty-three; Democrats, twenty-eight; Liberals, two—thus giving the Republicans a majority of thirteen. But the *Journal* admits that in this majority are to be found four or five Republicans like Ferry of Connecticut, Cameron of Wisconsin, and Christiancy of Michigan, who have been elected by the aid of Democratic votes. Still, it thinks there is little reason to doubt there being a party majority. The difficulty, however, with this sort of a working majority now is, that no one, even of its own members, knows exactly what it is going to work for or what it is going to work against, nor in many cases would it be able to know whether it was for or against a measure until it was first decided by a majority vote whether the measure was, strictly speaking, Democratic or Republican. The fact is that, for the average politician, his business is at present a good deal "mixed"; and those statesmen who have not guided their steps by the light of duty and the moral law are now in a dreadful quandary as to whether they shall move backwards or forwards, or in what direction.

The Pacific-Mail Committee's report, said to have been drawn up by Mr. Kasson of Iowa, is quite mild in its language, and hardly recommends anything, except that Bill King be prosecuted for perjury as soon as he can be caught. Schumaker, they think, ought to be made to remember what he did with the \$300,000 or so entrusted to his care, and the committee seem to be of the opinion, in which the public appears to agree, that they have not found out much after all. The most sensible thing they do is to recommend the passage of a bill to regulate lobbying at Washington, to put a stop to the possibility of unauthorized adventurers swarming about the Capitol, or at any rate thronging the committee-rooms, and not in reality representing any one, but talking for or against measures with money in them on the chance of getting some of it by means of promises and threats. Lobbying, in the sense of preparing facts and arguments, in the interest of private persons, with regard to pending measures, is a regular and unavoidable branch of the public business, and must continue to be so as long as legislatures have the right to pass private bills; and the way to improve the tone of it is by subjecting it to restrictions and regulations, by making it a business in which decent men can engage without dishonor or discredit. Irwin, the agent and distributor of the Pacific-Mail money, is now "recuperating" from the effects of his hard winter, and has written to a friend that he needs "a few days' absolute rest," now that "that wretched investigation has ended its persecution." He announces that he is going into the country, "where there are neither newspapers nor telegrams, nor Congress nor directors; where the wicked cease from troubling, and the weary are at rest," and adds, "I suppose Rufus and his gang will howl. Let them for a week. I am tired of having 38,500,000 people sitting on my head, and I must have a few days' rest."

Senator Jones has asked the opinion of Mr. David A. Wells as to the Reciprocity Treaty with the Hawaiian Islands. Mr. Wells carefully investigated the subject when he was Special Commissioner of the Revenue, and in his opinion the treaty ought not to pass, being in effect a measure to take a million or so annually out of the Treasury, now paid as duties on sugar, and hand it over to the American sugar-planters on the islands. The principal import from the islands to this country is sugar, and the treaty proposes to admit this free, and in return to admit to the islands all kinds of manufactured articles from the United States.

The *Financial Chronicle* sums up the defects of the Tax Bill, by showing that it does not fulfil its original purpose, as it does not designate the specific use to which the money raised by it is to be appropriated; that it has been creating general alarm and uneasiness, by causing uncertainty as to what articles it would finally reach, the debates and votes on it in the House bearing a striking resemblance to the discussions of the *opéra-bouffe*; and that, by taxing an enormous number of articles for the mere purpose of raising \$35,000,000, it increases the complication of the tariff, and thus harasses the honest trader more than it helps the Treasury. When we consider, too, that this important duty of providing for the wants of the Treasury was left until the last days of the session, its consideration being postponed for such futile measures as the Civil-Rights Bill; that, when it did come up, it was debated and amended as if it were a huge joke, and that the chairman of the Committee of Ways and Means finally got it passed in its present shape by a sort of trick, more people than ever will ask whether some means cannot be devised for saving the business of this great commercial country from the kind of men whom some constituencies persist in sending to Congress.

Since we spoke last week of the desirableness of calling Mr. Henry C. Bowen as a witness in the Tilton-Beecher case, that gentleman has published a card in reply to the denunciation of him by Beecher's counsel, in his opening speech, as a participant in an alleged conspiracy got up against Beecher by Tilton and Moul-

ton. In this card, he declares his readiness to testify, and reveals considerable hostility to the Beecher side, and, abandoning all disguise, boldly announces his disbelief in the doctrine "that lying is justifiable under certain circumstances." We are informed since last week that though both sides have subpoenaed him, the reason why neither has called him is, that, with his accustomed shrewdness, he refuses to make known what he will say if placed on the stand. This reticence naturally makes him "a shape of dread" both to plaintiff and defendant. Now, however, that Beecher's counsel have openly declared war against him, it is reasonable to suppose that he will appear among Tilton's rebutting witnesses, and though we cannot honestly say that we consider him successful as a religious teacher, and much doubt whether he "saves" any perceptible number of "wicked men" in the conduct of his business, we feel sure that as a rebutter he will make his mark.

The process of unification which Bismarck is carrying on in Germany is likely to receive powerful aid from the new Imperial German Bank, which the German Parliament has just established, and which is to go into operation on the first of next January. It bears in its objects a remarkable resemblance to Mr. Chase's National Banking scheme, but goes much further, as might be expected, in the direction of Governmental control, for it is really rather a political than a commercial machine. A few of the existing state banks—thirty-two, we believe, in all—are still left the privilege of issuing notes within their own districts, but in a few years even these will have disappeared, and the Imperial Bank alone will then supply the paper currency of the Empire. The capital of the Bank is to be \$30,000,000, and its operations, besides of course receiving deposits, are to be dealing in bullion, discounting three-months bills, with two good names, lending money on state or municipal stocks, with a margin of twenty-five per cent. of their current value, and, in the case of foreign-government securities, of fifty per cent.; and the bank is to have the power of summary sale of the securities, without notice, in case of non-payment on the day named. All the Government does for the bank is to guarantee \$70,000,000 of the paper issue, and exempt it from taxation; but it reserves the control of the whole establishment, and is to exercise it through a board of four commissioners, and these are to be absolutely subject to the order of the Chancellor of the Empire. The shareholders are to be allowed to give their advice at meetings, and through a permanent committee, but it is open to the directors not to take it—a privilege of which these gentlemen will, doubtless, freely avail themselves. The check on overissues of notes consists in a heavy tax, to be levied on borrowers in the form of discount. In this and all the rest of the great mass of centralizing legislation in which the Imperial Government has been forced to engage, the specialists who so abound in Germany have been freely used in drafting bills and preparing reports. Nothing has been left to "the rule of thumb." When a law is wanted, all the leading students or practitioners in that particular field are called on to aid in preparing it, and it is turned over in every conceivable way by statisticians, lawyers, and professors before being presented. Barbarians and blatherskites are not allowed to take hold of the legislation of a civilized people, and "go it blind" to "help the party," or "ease the market," or "move the crops."

The city of Paris has been inviting subscriptions to a four and a-half per cent. loan of \$44,000,000; and, as it was offered on the popular plan, which came into so much favor under the Empire—that is, of receiving subscriptions directly from all persons willing to take one or more bonds, instead of making a contract with a syndicate of bankers and leaving them to retail it at a profit—the subscriptions amounted to forty-two and a-half times the amount required, so that the money deposited on account vastly exceeded the loan. But the result is disappointing to the city in some ways.

It shows, in the first place, that the municipal credit is so good that the bonds might have been offered at a much higher figure, and it makes quite certain what has been long suspected, that "popular loans" do not always reach the people. They are now subscribed for on so great a scale that, in order to get what you want, if you want more than one bond, you have to ask for as much more as you think the bids will go beyond the amount of the loan. In the present case, for instance, people calculated that the loan would be covered twenty times, so that a man wishing to get five bonds sent in his application for one hundred, and, as each application has to be backed by a deposit, the amount of money one had to let lie, without interest, pending the assortment of the bids, was very great. This state of facts has become so well known that small capitalists no longer bid, and the business of "popularizing" has fallen into the hands of middlemen, who bid lavishly and afterwards sell at a premium, so that the state does not get the benefit which formerly accrued under the old system from competition between bankers, and the people do not get the bonds free of the banker's commission. It has now come to light that the popular plan was tried in 1818 under the Restoration, when the loan offered was covered eleven times over; but it was then discovered that much of the bidding was, as now, speculative, and the plan was abandoned until Louis Napoleon revived it in 1854 as a feature of the Imperial system. We have probably seen the last of it.

Twenty-three of the German Catholic bishops have signed a joint declaration in reply to the circular despatches of Prince Bismarck of May, 1872, of which we recently gave a summary, relating to the necessity for the interference of the great Powers in the election of the next Pope, owing to the reduction of the bishops to the position of mere tools and "employés" by the Vatican Decrees. The German bishops now stoutly deny the assumptions of the circular. They say that the Pope is still, as always, Bishop of Rome, and not bishop of every other city and diocese, but is "chief of all bishops," as he has always been, and as such is obliged to see to the proper administration of every diocese. But there is nothing in the enactments of the Vatican Council to justify the assertion that he has become an absolute sovereign; he cannot "change the ordained constitution of the church," etc., etc. The Catholic dioceses are governed now as they were before the Council met, and the bishops deplore the adoption by the German Government of the construction put upon the Decrees by the Old-Catholic and Protestant theologians, and end by protesting solemnly against any attempt to interfere with the Papal election.

The finances of the Austro-Hungarian Empire are in a bad way, or, rather, those of Hungary are. When the new political organization was set up in 1867, it was agreed that Hungary should contribute thirty and Austria seventy per cent. of the revenue needed for common uses. Since then, Austria has made such exertions as she had never made before in her history to make ends meet. She began by a piece of repudiation in 1867, which we noticed at the time; but she also began a steady process of reduction in her usual annual deficits. In 1868, she had a deficit of \$16,860,000, but she gradually overcame this, and in 1872 had a surplus for the first time in a century. In 1873, she had a panic from overtrading, but is recovering from it, and is steadily keeping her head above water. The Hungarians, on the other hand, having less financial experience, and being full of eagerness to share in the material prosperity of the Western world, and a little intoxicated with the joy of their political liberation, launched into heavy expenses. They set up an imposing administrative machine, bought up the feudal rights of the nobility for the benefit of the peasantry, and began an expensive scheme of "internal improvements," particularly railroads; and the result is that there is now an annual and increasing deficit, which there does not seem to be enough financial ability in the Reichstag to cope with. The expedient most talked of is a sale of the public domains, which are supposed to be worth \$300,000,000, but it would take twenty-five years to dispose of them satisfactorily.

POWER WITHOUT RESPONSIBILITY.

THE *Evening Post* has advocated in a large number of articles, of which we cannot do more than recall the general drift, the expediency of convening the new Congress on the 5th of March, immediately after the dissolution of the old one, so that the Democrats might be forthwith charged with the responsibilities of legislation and, as the phrase is, "be forced to show their hand." We questioned the value of this suggestion early in December, on the ground that the delay between the end of the present Congress and the meeting of the next "would prove a salutary obstacle to much needless and partisan activity," and we do not think anything has since occurred to lessen the force of our objection. On the contrary, we think the events of the last three months have strengthened it. The defect in the law which this winter's experience has revealed or made prominent is not the fact that the new Congress cannot meet until December, but the fact that the old Congress continues to sit and legislate after the majority in it has suffered defeat at the polls, or, in other words, has received notice that it has lost the confidence of the country. If the late election had given the Democrats complete possession of the Government, it might, on the English theory, be urged with a great deal of force that the party which had acceded to power should be immediately compelled to assume the responsibility of exercising it; that is, if the elections of last fall had given us a Democratic President and Senate as well as a Democratic House, or had even given us a Democratic House and Senate, there would be a manifest propriety in compelling the party to take upon itself at once the business of legislation and administration. But under our system, whether rightly or wrongly, but as we think rightly, the defeat of the party in power at the polls does not involve the immediate transfer of power to the victor. Therefore, even if Congress met in March, the Democrats could not take possession of the Government. They could neither legislate nor administer in accordance with their own ideas; they could only resolve and investigate. They would not have the sense of responsibility which comes from the actual possession of authority, and would, therefore, not really "show their hands." They would probably say a great many things they did not mean, and threaten a great many things they never intended to carry out; and although their talk might be harmless, it might also be mischievous, as the talk of men who have no responsibility for what they say is very apt to be. It might have a very disturbing effect on the business world. It might affect the public credit unfavorably, and might excite mischievous expectations at the South. In fact, there is at the present juncture only one thing which, as it seems to us, can *certainly* be said in favor of a meeting in March, and that is, that if, as is positively affirmed in many quarters, and as his Arkansas message does in some degree indicate, the President has put himself in the hands of advisers like "Boss" Shepherd, who are in their turn the cronies of the Southern carpet-baggers and jobbers, it would seem desirable that the House should be in session to watch him during the coming six months, or should meet long enough to put some moral restraint, at least, on his use of the army for the purpose of pushing his own fortunes or those of his more desperate followers.

With these reserves, we think it can hardly be denied that the prearranged slowness with which power is transferred from one party to another is a very salutary feature in the American system. It takes from ten to fifteen years now to beat the party in power at the polls under the ordinary process of discussion, and two years after it is beaten to get the reins of government out of its hands. And that which makes it difficult for a party to obtain power is what makes it difficult for it to lose it. The arrangement of the Government machinery is such that the Executive and each House of the legislature have to be captured in succession before the opposition can obtain the reward of its striving, and this can only be accomplished by a thorough conquest of public opinion. A passing gust of popular feeling, roused by this or that incident, is not sufficient. Nothing is sufficient but settled and widespread conviction, and settled and widespread conviction can only be produced

by some stirring principle or far-reaching policy. The result is that when a party gets into power, as long as it seems really faithful to the principle or really engaged in carrying out the policy, its mistakes or shortcomings on minor points do not seriously injure it with the public, or only injure it slowly. The process of alienation goes on almost tediously, and is often almost imperceptible until it is complete; but, when this point is reached, the burst of opposition is apt to be very vehement and irresistible, particularly as it is apt to be precipitated by unbearable excesses on the part of the men in authority. Anybody who will study the history of the closing years of the last Democratic Administration, and compare them with what is now going on in Washington in the Republican party, will find abundant proof and illustration of all this. Now, we hold it to be a wise and prudent thing that the majority, when it is in this paroxysm of indignation and disgust, should not be able all of a sudden to have its way—that it should have to wait and reflect, and see whether things are really as bad as they seem, and whether the first wild remedies suggested by the iniquities of hardened and audacious partisans are real or only apparent remedies. Much as we condemn the performances of the Republican party at the South, shocking as many of them have recently been, we are glad that the new Congress is to be obliged to think over them for a year before dealing with them. Questions over which eight or ten millions of voters are excited are and must always be weighty questions—questions which will both tax the understanding and kindle the imagination; and it is of the greatest importance that they should in the last resort be approached cautiously, and treated in cold blood. Where should we be, for instance, if every time a two-year craze like the Granger movement sprang up it was possible to sweep the whole Government into support of it, before discussion and experiment had time to test and analyze it, and find out whether it sprang from a passing fantasy or from a real grievance?

But there is one feature in the present state of the law for which there is really no excuse, and which, in view of what is going on at Washington, it is no exaggeration to call scandalous—we mean the persistence of the majority in legislating actively on subjects with regard to which it has received formal notice that it no longer possesses the confidence of the public. There is nothing to be said in defence of this on any theory of responsibility, and a more glaring illustration of its evils could hardly be offered than is now to be witnessed in Washington. Here we see a body of men wielding all the power of the Government months after they have been dismissed from office, and therefore under no proper sense of responsibility to anybody. Take the case of Butler, for instance, who has been during the last week acting as "leader" in an attempt to carry a measure making unprecedented and reckless changes in the administration of the Government. He has been turned out of his seat; he hardly expects to get back into political life, and is, therefore, under no restraint whatever from any quarter, and really at this moment has no constituency; but this fact, instead of moderating his legislative activity, increases it; and his case is that of a large proportion of his colleagues. Of the 134 members who voted for the Force Bill, 96 have lost their seats, and are now irresponsible political adventurers. The majority of those who have not been returned are really acting as if the opinion of the voters had nothing to do with giving them their power, and ought not to influence their manner of exercising it, and as if the formal withdrawal of popular confidence operated as a general license to commit any excesses they pleased. It would be difficult to conceive of a more demoralizing spectacle, or one better calculated to make incoming legislators reckless and unscrupulous, and to increase the insensibility to public opinion, already so strong at Washington, which is so hurtful to rational legislation, and which is apt to result to a greater or less extent from the admission of a long interval of time between the casting of the vote and its effect on the Government. We would even admit that the political apathy on the part of the mass of the people, of which so much complaint is made, is largely due to the same cause. A man who does not see his bullet strike for two years is apt to lose his interest in the shooting; but then the

choice of all political methods is, in the present state of human nature, apt to turn out a comparison of disadvantages; not one is perfect. The reform in the relations between the people and Congress which is now most plainly called for would seem to be, not the sudden admission of the new majority to power, but the exclusion of the old one from the unwarrantable exercise of it. Such a body as the House has been during the present session is an anomaly which no free state ought to permit, for it has nothing either to fear or hope from the people which elected it.

RHETORICAL TRAINING.

THE extraordinary, and we believe unprecedented, spectacle to which the public has been treated within the last few days, of an advocate in an important cause opening his case to the jury by reading a manuscript to them through the working hours of a whole week, has called forth more or less remark from the press, but not nearly as much as it merits; for it is not an isolated fact. It is, as everybody who is in the habit of paying much attention to our public speaking cannot but feel, one of the signs of a tendency of considerable moment, to which we must beg the attention of those who are just now concerning themselves with the training of young men in the art of persuasion.

There has been within a few years a good deal of discussion at Harvard College—and, for aught we know, at other colleges—over the necessity of bestowing more attention on instruction in rhetoric, or, in other words, in the art of expressing one's self fluently and correctly in public; and some people—among others, the gentlemen who have of late busied themselves in getting up what are called "intercollegiate contests in oratory"—have been fearing that the neglect of this branch of education in our great institutions of learning was going to work serious evils, by lessening the influence of educated men in public life. Now, we venture to assert that the faculty of fluent speech in public was never in so flourishing a condition as it is at this moment in the United States; that the number of persons capable of making a respectable off-hand speech, on the stump or after dinner, was never so great, in proportion to population, as it is now; and that this faculty grows steadily, and is, indeed, so widely prevalent, and seems to come so naturally, that it is not unreasonable to set it down now as an inherited trait of the race. The English shyness and awkwardness and hesitation which, it is fair to suppose, the original settlers brought with them to this country, have certainly disappeared among their descendants. The American of our day is in short a natural orator; he carries himself becomingly and gracefully, and can almost always find something to say if suddenly called on, and can say it in clear and appropriate language. Moreover, the circumstances of the country are such that a stimulus of the most powerful kind to the acquisition of rhetorical fluency is applied to every one as soon as he is twenty. The nature of the Government, the extensive use of co-operation in all sorts of enterprises, the widespread passion for "listening to a few remarks," created by the diffusion of education, and the difficulty of any mode of securing personal influence or popularity except through the tongue—all force men of energy and ambition into the practice of oratory. Nowhere, in short, is preliminary training in this field during one's boyhood so unnecessary, or, as many think—and we ourselves among the number—so likely to prove hurtful.

There are, on the other hand, facts which it seems at first blush difficult to reconcile with the foregoing. First of all, there is the fact that in the legislative bodies of no country in the world does oratory produce so little effect as in this one. It is hardly ever known to change a vote, and the occasions are rare, are becoming rarer, when it is listened to by either friends or foes. Nearly all our legislators, indeed, when they speak, address themselves to their constituents rather than to their fellow-members. This anomaly is, however, largely due to the action of the press and to the working of party machinery, and perhaps only in a small degree to the quality of the oratory. But, secondly—and it is to this we wish more particularly to direct attention—there can hardly be a doubt that, *pari passu*

with the increase of readiness in speaking on ordinary occasions, there has grown up a want of readiness in speaking on extraordinary occasions, and an inclination, as in the Brooklyn case, to substitute a written essay or "statement" for a genuine speech. One is apt to infer from a man's skill in after-dinner or other festive oratory, or from his fluency on the stump, that he can also rise to the height of a great argument, and can, at a crisis calling for the exertion of all his oratorical powers, bring them into play. But, we think, most people's experience will corroborate our assertion when we say that the disinclination or inability to make speeches on serious or weighty subjects not chosen by themselves, or indeed to attempt any momentous piece of persuasion, increases among the most practised post-prandial and stump speakers. Every one, of course, knows what the "great speech" of the average Congressman has become. It is usually a diffuse written essay, full of quotations, often far-fetched and sometimes absurd, which he expects few people to listen to, and only lets off that he may get it printed. But the speaker out of doors is fast following his example, and refusing to encounter the risks and labors of real oratory. If you let him select his own theme, and ask him only to be light or gay and entertaining, he will often do wonders to please you. But if you ask him to face an audience on some really important emergency, when he is to bear the burden of a great cause whose fortunes his words are really expected to make or to mar, in ninety cases out of one hundred he will not trust himself either to think on his legs or to recall on his legs the results of past thinking. He will not even rely on notes, but will extract from his coat-tails with much solemnity a treatise of greater or less dimensions, and read it to you in his best manner. The newspapers are partly to blame for this state of things by their courtesy in giving the name of "speeches" to what are really essays—another illustration of the evil results of inaccurate language.

The practice has been growing steadily for a good many years. To say who invented it, or, rather, gave it dignity, might lead to acrimonious discussion; but when it has invaded the bar—which is the oratorical profession *par excellence*—and when a jury are bored and the time of the court wasted and the advocate's privileges abused by the reading of an essay which might have been printed and distributed as a pamphlet, it is time to say that the practice ought to stop, that judges ought not to permit it, that the public ought to discountenance it, and that the educators of young men ought to consider seriously what leads to it.

What leads to it seems to us tolerably plain. It is not want of fluency, or aplomb, or skill in the use of language; for these, as we have seen, are very common, and are encouraged by all conditions of our social and political life. It is, as we believe, the want of that good mental training which enables a man both to think clearly and to classify and store away his knowledge in such a way that he can produce it promptly when he wants it. No dexterity in the use of words will make a man an orator without this, or make oratory an art much more respectable than comic singing. It is the want of it, and nothing else, which drives all these ready speakers to their manuscript. The minute they are called on for a display of their highest powers, on a subject which circumstances have forced on them, and with which the gravity of the occasion will not allow them to trifle, the easy assurance of the dessert-table and platform then vanishes completely, and the persuader becomes all of a sudden as little of an orator as anybody, and as helpless as if he had never faced an audience before.

The remedy lies not in setting young men to spout in public, before they have learnt to think—and when their ideas are, in the main, merely detached memories of books—on subjects to which they themselves take some light fancy, but in training them in the art of reasoning, in the arrangement of materials, in the quick perception of relations, and in penetrating to the heart of knotty questions and extracting essential facts. This is the proper work of education; the fluency, if it be not constitutionally wanting, is sure to come afterwards in this country; and the gentlemen who are so laboriously getting up the "intercollegiate contests," and some

of those who are occupying themselves about the rhetoric in colleges, are, as it seems to us, vexing their brains over the question whether a duck will swim when it gets to water. What we all need is not more glibness or assurance, for of these most of us have as much as is good for us, but well-ordered brains, which will stand us in good stead on great occasions as well as on small, and make us weighty as well as brilliant. Of the results of purely rhetorical training there is a melancholy example now to be witnessed in the case in which Mr. Tracy has just been reading his pamphlet. Upon certain natures its effects seem almost as baneful as those of excessive alcohol; as destructive of manliness, of simplicity, and of power, as productive of fatuous conceit and self-worship. It is almost certain to produce, too, love of notoriety; and when once this takes possession of a rhetorician, it consumes him utterly.

SIR CHARLES LYELL.

THE telegraph announces the death of Sir Charles Lyell on Monday, February 22. His name is not less inseparably connected with the progress and, we might almost say, the completion of a great revolution in geological science (though less conspicuously connected with it) than the greater names in astronomy are with similar periods of transition in that science. The establishment of geology as a strictly inductive or positive science was in a great measure due to the early, clear, and steady conception of true method in its pursuit, which Sir Charles Lyell's works have done more to expound and promulgate than all other geological publications in this century. It would be difficult to estimate how much of the patient, soberly-directed labor of the modern army of geological explorers has been inspired by his researches and the influence of his teachings; but it is clear that the position early won by him through his writings and observations was a most important one for the guidance of a movement in which, from its magnitude and need of many leaders, no master-mind could by wisdom or energy have attained to such relative rank as has been won by genius in lesser movements of scientific progress. Lyell was born in 1797, at a time when the principles of sound method in geology were just beginning to be adequately appreciated. In that year Playfair published his illustrations of Hutton's geological theories, which as completed and amended may be said to have determined the chief line of progress in this century. Ten years later, in 1807, the Geological Society of London was founded. Of this body Lyell was made president at an early age in 1836-7, and again in 1850-1. He had published the first edition of his 'Principles of Geology' in 1832. The eleven editions of this work, of which the last appeared in 1872, and the seven editions of his 'Elements of Geology,' the last in 1871, may be regarded as chronicles of a progress of which he was the principal historian and a chief actor. Narratives of two visits to the United States, one for geological observation and the second for social as well as geological studies, were published in 1841 and 1845.

The publication in 1863 of his work on the 'Antiquity of Man' marks an interesting *dénouement* of the great movement with which his lifetime was almost coincident, and with which his name and work are inseparably joined. At the end of the last century, the transmutation or development theory was independently and almost simultaneously proposed by three great thinkers, Goethe, Geoffroy St. Hilaire, and Erasmus Darwin. Its final triumph in our day was almost a direct consequence of the principles adopted by Lyell from Hutton and the Huttonians, and urged so clearly and effectively by him in his 'Principles.' Yet Lyell—and this was an interesting exhibition of a worthy trait of his mind—resisted the theory of development for a long time; until after the publication of that most remarkable book of the century, Darwin's 'Origin of Species.' He showed in the early editions of his 'Principles' a decided, though just and appreciative, opposition to Lamarck's theories; and it thus happened that Lyell was one of the few veterans in science who were converted from their older views by Mr. Darwin's arguments. Though nearly seventy years of age, he showed the genuineness of his conversion by rewriting in the tenth edition of his 'Principles' the chapter on the development theory, and other matters relating to it. This change gives his masterpiece a greater logical completeness and coherency than it had ever had before, and redounded to his credit in this way quite as much as in the exhibition it gave of his openness of mind to scientific arguments, or of the moderation of the conservatism which characterized him as a true English Liberal.

Hutton, the knowledge and practice of whose principles Lyell did so much to extend, was the first to declare that geology was in no wise con-

cerned "with questions as to the origin of things." By "origin" was then meant the origin of the natures which things have and their first introduction in the theatre of the world. That cosmology should have been so far banished in half a century from zoological conceptions that Mr. Darwin could use, without incurring serious misunderstanding, the title 'Origin of Species' for his great work, is evidence of the progress made. "Origin" has now come to mean the coming to pass of anything in the course of events, and is concerned only with how things go on from one determinate appearance to another. "In the economy of the world," said Hutton, "I can find no traces of a beginning, no prospect of an end"; "a declaration," Lyell remarks, "the more startling when coupled with the doctrine that all past changes in the globe had been brought about by the slow agency of existing causes." But Lyell was not free at the outset, nor for a long time, from another misleading scholastic conception which scientific progress has also nearly banished, namely, the scholastic meaning of the word "species." From his deference to the authority of leading minds in systematic natural history he attributed to the authority of their observations what was only involved in a received meaning of a word, namely, that a species was only properly so called because it exhibited invariable characters, and yet that the word was applicable to actual existences. These naturalists, with this meaning in their minds, applied the name to existing and past organic races, implicitly asserting thereby more than their authority as observers could warrant. The word now means not an absolute, but only a comparative fixity of character, so that in Darwin's treatise both words of the title, 'Origin of Species,' appear with modern unscholastic meanings. But this was in great measure due to the influence of the doctrines and methods which Lyell has done so much to promulgate. In perfect sympathy with the scientific aspirations of earlier Italian geologists to explain the phenomena of the earth's formations "without violence, without fictions, without hypotheses, without miracles," he early perceived the value of scientific societies devoted to the patient collection of data for science, and principled against the premature speculation of theories. The Geological Society of London was such an institution, in which no "theories of the earth," as they were called, were tolerated. Such institutions, like the monastic refuges for culture of old, were securities to scientific observation against the vanity and ferocity of scholastic disputation.

Among the many graphic and instructive illustrations of geological changes from slowly-working natural causes, Lyell gives an account of a great flood at Tivoli, in 1826, in which the "headlong stream," as Horace had called it, the Anio, produced the most destructive effects; the flood coming "within two hundred yards of the precipice on which the beautiful temple of Vesta stands. But fortunately, this precious relic of antiquity was spared, while the wreck of modern structures was hurled down the abyss." Vesta, the goddess of the hearth, was the mythological representative of the stability of the earth; and when Aristarchus, the Samian astronomer, first taught the Pythagorean doctrine of the earth's motion on its axis and around the sun, he was publicly accused of impiety, for "moving the everlasting Vesta from her place." Lyell is reminded by this coincidence of Playfair's remark, that when "Hutton ascribed instability to the earth's surface, and represented the continents which we inhabit as the theatre of incessant change and movement, his antagonists, who regarded them as unalterable, assailed him in a similar manner with accusations founded on religious prejudices." There appears to be a strong natural association of religious feeling with the idea of stability; and three wrongly consecrated stabilities—that of the earth, that of its continents, and that of its forms of life—have one after another given way to the progress of knowledge, and, though with obstinate resistance from religious sentiment, the changes have taken place without permanent injury to religion.

It is in Lyell's character as a scholar and writer, however, quite as much as in that of thinker and observer, that his influence has been and will be felt. His style reveals the man in its calm, clear, scholarly spirit of accuracy. His sentences win confidence and disarm prejudice by their entire freedom from overstatement and advocacy. The man revealed by the style is a model of the qualities in mind and character which distinguish the highest modern social and scientific culture. A tender regard, akin to reverence—to reverence without servility—toward established standards of custom and opinion, kept him, while a Liberal in politics, religion, and science, very far from radicalism in any direction. He was a warm friend of America, and, during his two visits to this country, endeared to him many personal friends. He was married to a lady whose father was also distinguished in geology, Mr. Leonard Horner, formerly a president of the Geological Society, and especially distinguished in the annals of science for the researches for a chronological standard in geology in his examination of the age of the deposits of the Nile mud. Lady Lyell, whom death removed

from her illustrious husband two years ago, had been to him a most devoted and efficient helpmate, through powers and interests trained in the same direction, and by an amiability akin to his own. Sir Charles Lyell was born in Scotland, educated at Exeter College, Oxford, and called to the bar. He was knighted in 1848, and was created a baronet in 1864.

ENGLAND.—THE COMING MEASURES.

LONDON, February 13, 1875.

THE measures promised in the Queen's Speech are all of the domestic type. They are, indeed, more the sort of measures that one would look for from a parish vestry or a board of guardians than from the British legislature. Alterations in the arrangements of the law courts; improvements in the dwellings of the poor; amendment of the law relating to public health and regulating the pollution of rivers; the registration of friendly societies; and the establishment of a public prosecutor—these are the unobtrusive measures which are to be proposed this session. It is not an ambitious programme, though it contains many useful and some necessary improvements. But no party feeling can be aroused by such schemes as these. The Law Court Bill is a remnant from last session, and indeed from the last Parliament. It would have become law last year but for the interposition of the ecclesiastical excitement, which, like Aaron's rod, swallowed up all the tame, decorous measures which had the bad luck to come in its way. Introduced as it has been in the House of Lords, at the very beginning of the session, it can hardly fail to receive the royal assent this time.

The necessity for a bill for the improvement of the dwellings of the poor is universally admitted. No one who has lived in one of your fine modern towns can form a notion of the squalor and wretchedness of the dens in which the poor of London, and of most of the large towns in this country, spend their days and nights. The medical officer to the local Government board has reported that in numerous towns the poorer houses are utterly unfit for human habitation, and that they are worst of all in London, Bristol, Merthyr, Newcastle, Plymouth, and Sunderland. In Liverpool, however, in which the most brutal population in the British Islands is congregated, the density of population is double that of London. Thirty thousand families, or (allowing five individuals to a family) one hundred and fifty thousand people, live in single rooms, of which fifteen thousand are dark, filthy, undrained cellars. In Manchester, which is not one of the six towns mentioned by the medical officer, carefully computed statistics, extending over the past ten years, show that, whereas the annual mortality in its healthiest parts is only four in 1,000, it amounts to seventy per 1,000 in its most crowded parts, which, considering that twenty per 1,000 is the normal rate of mortality, is almost enough in itself to prove the necessity of some such measure.

The bill empowers the local authorities in towns with a population exceeding 25,000 inhabitants to reconstruct the worst part of such towns, with money borrowed from Government, at three and a half per cent., on the security of the rates and the new buildings to be erected. The importance of such a measure as this is obviously great. But it would have promised to be more effectual if the provisions had been compulsory instead of being, as they are, permissive. Local authorities in England are difficult to move in any matter, especially in sanitary matters, which may involve expense. Rates are annually increasing all over England, both in town and country. It is obvious that a measure of the character of this Government bill cannot be effectually carried out without considerable expenditure, and considerable expenditure is precisely what most local authorities, except in a time of panic, are most desirous to avoid. The question of permission or compulsion will doubtless be raised when the bill gets into committee, and it will be decided by what it is customary and courteous to call the wisdom of Parliament.

In April, 1872, Mr. Disraeli, as you may remember, went down to Manchester, and there, in the Pomona Dancing Saloon, he made a great effort to resuscitate the fallen fortunes of Conservatism. It seemed a thankless and a hopeless mission, and the means which he took to raise his party from the dead, though admittedly original, did not appear to Liberal politicians and journalists calculated to be successful. He announced the hackneyed doctrine that cleanliness was next to godliness, and travestying the words of "The Preacher," instituted the cry of "Sanitas sanitatis, omnia sanitas" as the watchword that was to bring the Tories back to power. Many not unsagacious men laughed at the jingle of words, and thought that the old Tory party—the party of Pitt and Grenville—were indeed sunk deep in the miry clay when they had no better policy to offer against the blazing principles of Liberalism than a policy of the common

sewers. But Mr. Disraeli was wiser than they. He twitted the Government on the preference they showed for the ballot over the health of the people, and now that he is in power he takes the earliest opportunity, with the approval of all, of acting up to his convictions. The "Artisans' Dwellings Bill" is the first instalment of this new Tory policy. The remaining schemes have not yet been laid before the House. But the fact that a bill for the regulation of the pollution of rivers is to be one of the principal measures, is an indication that the policy is to be pushed in an enlightened spirit. It is no exaggeration to say that, excepting some streams, or "becks," as they are called, in the mountainous parts of Cumberland and Westmoreland, known as the Lake District, there is hardly an unpolluted river in the whole of England. Between the sewage of towns and the offscourings of manufactories, distilleries, breweries, and the like, every stream and river in the country is poisoned and rendered unfit for domestic use. Sparkling brooks that not many years ago were frequented by speckled trout and silvery salmon are now transformed into gigantic cesspools, which a clean-living toad would be ashamed to haunt. No wise man or woman will touch a drop of London water until it has been boiled and filtered, and even then they will use as little of it as they can. Most of the houses are supplied with water from the river Thames. But the river Thames carries away in its tawny bosom the sewage of Oxford, a town of nearly 35,000 inhabitants; the sewage of Reading, with 32,300; the sewage of Windsor, with 17,000; the sewage of Richmond, and a host of smaller towns, before it reaches London, and the water which is laid on in even the best houses of Belgravia, and South Kensington, and Mayfair, is all drawn from this polluted, filthy source. The manufacturing interest will no doubt be roused if any attempt be made to interfere with their prerogative of public poisoning. But the good sense, not to say the newly-awakened terror, of the country will support the Government if their measure be wisely considered, and be calculated to promote the end it has in view.

It is not likely that the appointment of a Public Prosecutor will be effected this session. The proposal raises wide questions upon which every one feels himself qualified to speak, and England clings tenaciously to the barbarism of private prosecutions. In most countries with any title to civilization, criminal charges are investigated and prosecutions are conducted by the state and paid for by the state. If you cross the river Tweed on the east, or the river Esk on the west, and enter Scotland—a part of the British Empire which Englishmen, at least, do not recognize as more civilized than their own country—you find a state organization of the most efficient kind, reaching from "Maidenkirk to John O'Groat's," and penetrating into the remotest corners of the country, and kept up exclusively for the detection and prosecution of crime. If a man shakes his fist in your face on one side of the Border, you complain to the public prosecutor of the district, and your assailant is indicted and tried at the public expense, and without any trouble to his victim. But if you are robbed and murdered on the other side of the Border, your representatives must bear the expense and the worry of bringing your murderer to justice. The state will not raise a finger or spend a penny to help them. Several attempts have been made of late years to get rid of this anomaly. But its roots are deeply embedded in English institutions, and the proverbial conservatism of the legal profession, wherever their interests or privileges are concerned, has hitherto been too powerful for the reformers. The present Government is strong enough to carry such a measure in spite of the lawyers, if it chooses to use its strength. Whether it will so choose or not, time will show.

On none of these measures can party passion be aroused. Both sides of the House are equally desirous that they should pass, and it is improbable that any factious opposition will be raised against them. It is in the minor matters that the present Government gives free vent to the good old stiff-necked Tory spirit. Last session it was a fourth-rate measure that discredited them, and brought together for a brief moment the scattered forces of the Opposition. This year Mr. Gathorne Hardy has introduced a trifling bill of a single enacting clause, "A bill to amend the law relating to Regimental Exchanges," which has already raised to a white heat the smouldering fires of the recently "consolidated" Liberal party. The clause is as follows:

"2. Her Majesty may, from time to time, by regulation authorize exchanges to be made by officers in her Majesty's Regular Forces from one regiment or corps to another regiment or corps, on such conditions as to her Majesty may for the time being seem expedient; and nothing contained in the Army Brokerage Acts shall extend to any exchanges made in manner authorized by any regulation of her Majesty for the time being in force."

The effect of this clause would be to revive by a side wind some of

the worst evils of the purchase system in the army which was abolished by the Gladstone Government. If officers of one regiment, it is said, are to be legally entitled to bribe their poorer brethren in other regiments to exchange with them when they are ordered to dangerous or unpleasant stations, the old demoralization of the army will reappear. Rich men will remain in comfortable quarters among the clubs and luxuries of London, while the poorer men will do the work abroad and in India, and all the old underhand, backstairs influences which were supposed to have been rooted out of the army will grow again, if this bill should become law, to the grave detriment of the service. So the purists and the job-hunters are asserting in the lobbies of the House of Commons. Already three ardent army reformers have given notice of motions to reject the bill. The new leader of the Opposition has openly announced his hostility to the proposal, and a right good party fight upon the second reading of the bill, next Monday week, is confidently anticipated. Of course the Government will win, but the battle-ground is astutely chosen.

One other measure, emanating not from the Government but from a private member, will open the door to party strife. The bill to enable Dissenters to be buried in consecrated ground, and in accordance with the traditions of their respective denominations, is stoutly opposed by all the Churchmen in the House of Commons. The same feeling that animated a "learned simpleton" in the east of England to refuse his permission to the word "reverend" being placed upon a Wesleyan minister's tombstone, animates a large number of the representatives of the English people. The Churchmen are principally massed on the Tory side of the House, and it is expected that Lord Hartington, who is no bigot, will lead a fairly compact body of his followers into the same lobby with the introducer of the bill. Even if he were successful, which is highly improbable, the bill would have no chance, as the House of Lords would strangle it on its first appearance in their House. The Bishops would rise *en masse* to vindicate the sanctity of their churchyards, and the vast majority of the temporal peers would hold it a desecration to allow the rights of Christian burial after the Episcopalian form, and in a consecrated churchyard, to be performed over a Dissenter. But, successful or unsuccessful, the Liberal managers would justly hold it a good party move to show some fight upon such an occasion. Except on these two measures there seems little scope for serious opposition. But in the game of politics as played in England, more than in any other pastime, you cannot tell what a day will bring forth. The calm despair of the Liberal benches may be aroused into active passion before the end of the session. At the eleventh hour some retrograde measure like the Endowed Schools bill of last session may be introduced, or ecclesiastical hares may again be started and hunted to the death. At the present moment it would appear as if the session would be one of little measures, but if the programme be carried out the public will be the gainers, and the Government, if it does not gain a crown of glory, will justly earn the civic wreath.

Correspondence.

ABOUT FIRST-MORTGAGE RAILROAD BONDS.

TO THE EDITOR OF THE NATION:

SIR: That cynical Frenchman Talleyrand says that business, in France, means getting all you can out of "l'argent d'autrui"—"other folks' money." Can it be the same in Wall Street, and even in the sacred haunts of Mammon at the "Hub"? The revelations at the late meeting of Dubuque bondholders certainly look so, and Mr. James F. Joy, the late railroad king of the West, testifies that the Dubuque method is the usual way of building railroads in the West. It is his idea of "business."

Let us look into this "business" a little. It has grown from small legitimate beginnings to an enormous system. It was natural that the towns and farmers of the West, where production is enormous and dirt roads impassable half the year, should want railroads within easy reach. They were, and are, on the prairies the farmer's great labor-saving machines. Within proper limits, the people of the prairies could well afford to club together their money and their labor and do a good deal towards getting a road ready for the ties and iron. They could well afford to take railroad stock and pay for it in money and labor, or vote county bonds in aid of the project, even if they never got any returns for it except in the enhanced value of their farms or other property.

In this way some very few successful roads have been built, and some others have proved to be worth the bonds issued to complete them; but in the long run and the majority of cases, this system of building has chiefly

enured to the benefit of contractors and speculators associated with them. However legitimate and plausible in theory, it was always dangerous in practice, and in 1871 it had grown to be the giant evil of the railroad system. It was, let us be thankful, killed by the panic of 1873, of which it was one of the causes, and by the Granger folly now happily dying out. We hope and believe the system thus perverted is dead beyond resurrection, but with such a glaring instance of its bad features as the Dubuque roads furnish we ought to learn the lesson well and lay it up for warning in the future.

What is its practical operation? From the legitimate attempts of agricultural localities to build railroads let us look at the outgrowth. Encouraged by the success of a few roads thus built, contractors who have made money out of them commence operations. Aided by local landholders, country storekeepers, and others with more enterprise than capital, they get together funds enough to make the rough preliminary surveys. These for the sake of securing local subscriptions are often run round close to everybody's farm or town lot; sometimes a small land-grant is obtained, and what is called "tax aid" in the shape of town or county bonds is voted by the inhabitants, either as a bonus or to be returned in stock of the railroad. If the prospect seems favorable, the contractors sometimes muster funds or get contributions of labor enough to run a few furrows with an ox team and a deep plough. This is called grading and ditching the road, and the nominal value of the labor and tax aid often reaches large amounts, and figures in the coming programme as "large local stock subscriptions." Armed with this array of "margins" the contractor waits upon some railroad king, and tells him the road is going on rapidly "towards" completion—"the grading nearly all provided for" and nothing needed but a capitalist to furnish iron and equipment. If skilful, he hints that a neighboring rival king is negotiating for the control of the road, but that his friendship for the nearer monarch, or perhaps his loyalty purchased by previous similar favors, leads him to give King A the preference. Sometimes he adds, as an inducement, that if the king and his cabinet will join in the enterprise, he will give them a share in the profits of the contract in the shape of land, local aid, stock, etc. The contractor and railroad potentate have now on paper all the elements of success, and need only Talleyrand's lesson as to getting hold "of other folks' money" to carry out their scheme. To accomplish this they skilfully distribute the contract "where it will do the most good," amongst capitalists who, by leading off on the subscription-list for the bonds to be issued for carrying out the project, are most likely to gather in "other folks' money." These capitalists are deceived; not intentionally by the railroad king, because his head may perhaps have been turned by previous success. They are made to see a very good thing for themselves—a good feeder for the first-class road in which they are directors, and they hope the public, including the widows and orphans who are pinched for income, will get 8 or 9 per cent. for their money instead of 6 or 7. The contractors' intentions are good. The potentate's intentions are good. The intentions of other credulous directors are good. The intentions of the portion of directors who compose the "ring" are good; but it is well known that hell is paved with good intentions, and this kind of paving, unless laid upon a firm substratum of "good works," is pretty sure to make a road that leads to the devil.

Let us pursue the process a step further—and we could not have a better specimen brick than the Dubuque roads, engineered as they were by the able and naturally honest King James. The enterprising town of Dubuque wants some more railroads, and goes through some of the preliminaries we have hinted at for bringing their project to the attention of King James. The king comes East with his array of figures—he wants at first only \$2,400,000, of which his ring, having first secured an interest in the contracts, take \$800,000, thus setting an example of "faith," and strongly recommend to their stockholders the other \$1,600,000, which is readily taken, and, owing to the confidence placed by the community in the statements and recommendation of the ring, even commands a premium in the market on its subscription price. Trusting entirely to their Western king, the cabinet exercise no further vigilance, and take no further precautions, but put the \$2,400,000 at his disposition, to be turned over with similar recklessness to his local viceroy, who perhaps rewards all his friends with fat subcontracts, and certainly adorns his own town with magnificent machine-shops as an earnest of the railroad structures that are to come when Dubuque becomes a second Chicago. Encouraged by his success and stimulated by the handling of so much money, our viceroy projects another road to the West, the Iowa Pacific, in which he doubtless has his "Crédit-Mobilier" contract. He also takes up a project for a road south of Dubuque to Clinton, already under way, and a few months later our king returns East with a still more magnificent scheme, of a sixty-mile branch, intended to reach the Iowa Pa-

cific, and a sixty-mile extension south, requiring now only three millions and a half more bonds, underlaid of course with a contract similar to the first, spiced this time with a land-grant of 40,000 acres and other enticements for his friends of the ring.

The same game is played in recommending and placing the bonds. The contractor-viceroy spends the money like a prince as he is, and now, having fairly begun his Iowa Pacific, very naturally, and without meaning to steal any part of them, expends \$173,000 of the funds entrusted to him upon that. His intentions, too, are good, namely, first, to feather his own nest as contractor, and next to benefit the river roads by giving them a new feeder. He then buys on credit (with perhaps a lien on it) the rolling-stock which he was bound to furnish as part of his contract. Under such a system the money of course wastes away like a snow-bank in May. The eastern end of the "Crédit-Mobilier" concern, when collapse comes, finds itself loaded down with the bonds, only a part of which they have been able to put off on the public, and so they are "sufferers who have been deceived," and think themselves rather objects of sympathy than of blame.

Upon another point the lesson is instructive. Trustees, professional men, widows, orphans, are led on by the shrewd capitalists, who show their faith, as Mr. Joy says, in the best way any man can do it, "by putting their money into it." Led on by this example and the delusive cry of "First mortgage bonds," they put their money into enterprises in which they would never think of taking stock, and yet they would have been ten times safer to have had stock if they had only assumed the management of it as stockholders and seen to its proper use. Instead of this they furnish the money, and let a set of speculating contractors mismanage it by the power of the stock which these have got for almost nothing.

Following out the Dubuque precedent, another danger is developed. The contractors take all the stock, and of course control or themselves become the "Board." They are at first bound by their contract to build the road, receiving therefor stock, land and local aid, and \$25,000 of bonds per mile of "well-equipped and well-built roads." This will do pretty well when they are only local contractors, with no great pecuniary responsibility, but when they want to get in the Eastern ring with some real capital and much credit, a new feature is added to the contract—they are still to get all the assets of the road, including \$25,000 bonds (first-mortgage bonds, mind you) per mile, but are released from any obligation to build the road—which the company must accept when the contractors have expended certain assets on it, whether complete or not. The Board (being in fact the contractors) do not examine whether the assets have been properly expended on it as provided in the contract, and even knowing that large sums have been unlawfully diverted to the building of another road, they accept the road and release the contractors, and instead of 237 miles "of well-built and well-equipped road," they receive only 182 miles of finished road with its machine-shops, after vast outlay only half done, and with its equipment and the road itself loaded with a large floating debt.

It has been argued that the value of the bonds is improved by having a certain sum of money put in behind them by a contraction company, and that such contracts as we have been discussing are perfectly fair if properly executed. Is this so? Take the Chicago, Clinton, and Dubuque case as an example: The contractors agree to put in \$140,000 in money, for which they get 38,500 acres of land, worth, at their own valuation, \$3 to \$6, or say an average of \$4 50 per acre—\$173,000; and in addition all the stock, amounting to over \$1,200,000. They thus take out of the enterprise more money value than they put in, with the chance of making a large sum in building the road and with an absolute release from any obligation to complete it. Hence the contract was a bad one, however well executed, besides having the vicious feature of making the contractors (in their capacity of directors) the judges of their own work, thereby removing every safeguard for its proper execution. However this may be in theory, we have seen in practice what waste, misapplication, and ruin come of allowing directors to use other folks' money in enterprises in which they themselves take the first chance of profit, giving to the public what chance is left of getting any interest on the money invested. Are we in this state of facts to have a verdict of "nobody to blame"?

GOOD INTENTIONS.

Notes.

THE Rev. E. D. Neill, well known for his historical writings relating to the early settlement of Maryland, has reprinted from the St. Paul (Minn.) *Pioneer*, under the title 'Maryland not a Roman Catholic Colony,' three letters recently addressed to that paper. This little pamphlet forms

part of the literature of the civil-allegiance controversy, as its object is to confute Bishop Gibbons, of Virginia, one of Mr. Gladstone's antagonists, who had claimed the Maryland General Assembly of 1649 as a Catholic Assembly (it was two-thirds Protestant), and the toleration act of that year as a manifestation of the spirit of the Catholic Church (it was an adaptation of the act of 1647, passed by the Puritan Parliament of England).—A new monthly *Journal of Education*, "devoted to educational interests, literature, science, and art," is announced to be published in Brooklyn during the present month.—The Agassiz Memorial Fund of \$300,000 is said to be nearly raised. The "teachers' and pupils' fund" alone exceeds \$9,000, the largest contribution (\$2,555 07) naturally coming from Massachusetts. Illinois is second with \$1,982 54, New York third with \$1,106 97; Missouri and Maryland follow next with \$882 79 and \$815 33 respectively. No other State gives as much as \$250. Pennsylvania (\$108 81) falls behind Rhode Island (\$140 05).—We have received from Mr. Edward B. Lasalle, C.E., of San Francisco, his pocket-map of Virginia City and the Comstock Lode, showing the latest changes up to January 1, 1875. It appears to give all the surface information that one could desire. For the underground workings of a part of the lode one may consult Mr. Clarence King's Mining Atlas (1870).—In the October *Bulletin* of the Essex Institute occurs an interesting statement by Prof. E. S. Morse, viz., that "the American Indians were acquainted with the fact that the glacial scratches on ledges and boulders run north and south, and that they used them as a guide." This he learned "from an old gentleman at Portland, whose grandfather remembered that the Indians sometimes found their way through the forests by scratching away the earth over the rock in order to note the direction of the smooth scratches."—The period of Italian history from the battle of Novara to the insurrection at Genoa has just been made the subject of a work by General La Marmora. It is entitled 'Un episodio del risorgimento italiano,' and but one hundred copies have been printed.—Scribner, Welford & Armstrong have secured for the American market a special edition of Schliemann's 'Troy and its Remains,' which will very shortly be issued from the press, illustrated with maps, views, plans, etc.—Dodd & Mead. announce Dr. John Hall's 'Yale Lectures on Preaching'; Dr. Storrs's 'Preaching without Notes'; and an account, by Mr. George H. Stuart, of the revival in England and Scotland now going on under the labors of Messrs. Moody and Sankey.—Albert Mason will publish the second series of French's 'Historical Collections of Louisiana and Florida.'—G. J. Whyte-Melville's horsey tale called 'Katerfelto' will be republished by Porter & Coates, Philadelphia.

—English publishers' announcements include a work by Kegan Paul on 'William Godwin, his Friends and Contemporaries,' which will contain a number of hitherto unpublished letters from many literary celebrities; a complete edition of Wordsworth's prose works, political and other; a life of Fénelon, by the author of a recent life of Bossuet; a memoir of Sir Roderick Murchison, by Archibald Geikie; 'Insectivorous and Climbing Plants,' by Charles Darwin; poems by W. B. Scott, illustrated with seventeen etchings by the author and by L. Alma-Tadema; 'Aristophanes' Apology,' by Robert Browning; 'Life and Works of Titian,' by Messrs. Crowe and Cavalcaselle; 'A History of Indian and Eastern Architecture,' by James Fergusson; 'Ecclesiastical and Secular Architecture of Scotland,' by Thomas Arnold; 'A History of Ancient Egypt,' by Prof. Brugsch; 'Studies from Genese History,' by Colonel G. B. Malletson; and a 'Dictionary of English History.'

—A subscriber writes us from Boston: "In illustration of what your correspondent says of borrowers of the *Nation*—my copy goes to two families in Massachusetts, after my household has read it, and then to an American family in Japan. Still, I do not think the proprietors lose by it, for I doubt if these families could afford the subscription, and it gives circulation and credit to the journal."

—In *Lippincott's* for March, the paper on "Munich as a Pest-city" is as likely as any other to be read and remembered, especially by intending tourists in Germany. Why that city has an exceptionally bad reputation as the nest of cholera and typhus, why "diseases of the throat and lungs are very common," and why "the whole population suffers more or less from catarrh," is explained by the writer in a way to carry conviction. The situation of Munich—"upon a high, barren plain, sixteen hundred feet above the level of the sea, exposed to the full power of the sun in summer, brooded over by chilly fogs in spring and autumn, and swept the whole year through by all the storms that accumulate upon the mountains filling the horizon to the south and east"—seems cause enough for a large amount of sickness and mortality, and a permanent and immitigable cause of both. The soil is an equally fatal factor, having once been the bed of a lake, and consisting

to the depth of several feet of a loose gravel, in which no useful or ornamental vegetation can be made to thrive except by artificial aid, and through which all fluid-matter deposited on the surface percolates to the rocky substratum, and there stagnating generates poisonous gases. Scarcely a third of the seventy-five thousand tons of refuse matter annually thus deposited is taken out of the city. Sewers are of very recent introduction, and, being imperfectly constructed and not systematically flushed, rather serve to aggravate the evil of the undrained soil. The state of the city cellars, generally shared in common by the occupants of flats, and permitted to be used even for butchering; the crowding and frequent upturning of the cemeteries; the foulness of the water, which is drawn from wells "in close proximity to the vault, the refuse-pit, and the drain"; the imprudent open-air habits of the population, their indifference to pure air and to cleanliness within doors, their bad diet—are still other counts in this sanitary indictment, evidence of the truthfulness of which is to be found in the fact that nearly half the children born in Munich die in infancy, and that "the death-rate for the whole population is nearly forty in a thousand." It was in a street bordering on the English Garden that the cholera broke out in 1873, and that Kaulbach sickened and died of the disease. The writer's account of this park would seem to be somewhat darker than was necessary; at all events, it is in marked contrast with the description of the same pleasure-ground given by an American consul in Ellis's life of Rumford, to whom Munich is indebted for it. Doubtless, if the Count were alive to-day, he would be as prompt to recognize and strive to improve the sanitary condition of the city as the present authorities are slow in dealing with it.

—Mr. Richard Grant White contributes an article to the *Galaxy*, in which he suggests a question with regard to music which would probably stand much more discussion than it has ever received. Every one knows, Mr. White says, that there are various kinds of music, vocal and instrumental, ecclesiastical and secular, lyric and dramatic, choral, orchestral; music grave, gay, lively, severe. But the question has been asked, Is there a distinction between "absolute music"—i.e., music as such, consisting of melody and harmony, and having absolute, intrinsic, musical beauty, and another kind of music known to the vulgar as "programme music," which Mr. White proposes to call dependent as opposed to absolute—i.e., music which of course must consist of harmony or melody, or both, but which appears not for its own sake but to illustrate some printed words or statements of the composer, and which, apart from this programme, is meaningless and uninteresting? Everybody who goes at all to concerts will recognize the distinction between the two kinds as being at the present time a very real one, inasmuch as one is the sort of music which one ordinarily listens to with pleasure, while the other is the kind which necessitates a careful, laborious, and continuous study of the programme as long as the music lasts, and involves also grave doubt, in the case of persons unscientifically musical, as to whether they really have detected, as they were in duty bound, the neighing of the horses in the sounds emitted by the oboes, or the spectral shriek in the violins, or whether they have not really confused the whole thing, so as to be carefully following the *menu* of the first part when the music has already got into the middle of the second. We join Mr. White with great pleasure in his attack on "programme" music when carried to the modern extent, simply on the ground of the amount of physical and intellectual labor involved; but it seems to us that he makes too much of the distinction when he says that it constitutes a "revolution" in æsthetics. Some relation of dependence has been always admitted to exist between music and words. In fact, the existence of opera of any kind is proof of the possibility of using "dependent" as well as "absolute" music, and though there is a great deal of music in operas which bears little or no relation to the accompanying words, it cannot be maintained that composers generally, when writing operas, have written "absolutely," any more than music composed for the words of a particular poem can be called "absolute." In the non-absolute music of the past, however, the connection between the two has in most cases been kept up by making the music the principal, and the words accessory or dependent. What is proposed, as we understand it, by "programme music," is to reverse this order and make the music dependent on the words, which we believe will be found in the long run to be a mistake, for the reason that music is incapable of expressing and representing thought, line for line and word for word, and can never do more than suggest and harmonize with the general feeling expressed by the words. In the operatic music of the past there has been, no doubt, a great deal of melody the sentiment of which was wholly out of sympathy with the words, of which fact Mr. White gives some curious illustrations.

—The last *Atlantic* contains an ingenious article by Mr. Jules Mar-

cou on "The Origin of the Name America." *Americ*, *Amerrique*, or *Amerique*, he says, is the native, aboriginal name for the high land in Nicaragua, lying between Juigalpa and Libertad, and reaching on the one side into the country of the Carcas Indians, and on the other into that of the Ramas Indians—the highest chain of mountains in the countries of these tribes, and a dividing line between the waters flowing into the Atlantic and those that empty into the Lake of Nicaragua. It is well known, Mr. Marcou says, 1st, that the termination *ique*, *ie*, in the Indian dialects of Central America, is applied to elevated, mountainous countries, or to dividing ridges; 2d, that no denominations are more firmly established than the names of localities, such as those of mountains, valleys, lakes, and rivers. "Even the most absolute conquest, unless it totally exterminate the aboriginal race inhabiting a country, does not destroy entirely the names of localities, or *lieux-dits*, as the French so well express it. These names may be slightly modified, by various spelling, but the primitive sound remains. And even where the aboriginal race entirely disappears, the names of places are often preserved, at least as synonyms; of which there are many examples in Canada, in New England, in the State of New York, and elsewhere throughout the Union." But in the *Lettera Rarissima* of Columbus, giving an abridged description of his fourth voyage (1502-3), he speaks of passing the Cape Gracias a Dios, on the Mosquito coast, and reaching the Rio Grande Matagalpa. After remaining there for several days, he stopped some time between the Island of La Huerta (the Garden Quiribiri) and the continent, opposite the village Cariaí, or Cariay. Columbus and his company were in search of gold mines, and of these the inhabitants of Cariaí (which is so like Carcaí that we may suppose the change to have come from an error in reading the manuscript letter of Columbus) had a great deal to relate. They led Columbus to another village called Carambaru, where the inhabitants wore golden mirrors round their necks. These Indians told them of several places where gold existed, one of them being Veragua, twenty-five leagues distant on the coast. Following these indications it seems highly probable that Columbus visited the gold mines, where the Carcas Indians are still working to-day, at the foot of the Americ mountains, a conspicuous range, with white cliffs, precipitous rocks, and huge, isolated rocky pinnacles; that he there repeatedly heard the Indians refer to these auriferous mountains, and give their name in reply to questions about gold, and finally, "We may suppose that Colombo and his companions on their return to Europe, when relating their adventures, would boast of the rich gold mines they had discovered through the Indians of Nicaragua, and say they lay in the direction of Americ. This would make popular the word Americ, as the common designation of that part of the Indies in which the richest mines of gold in the New World were situated." In this way the word Americ might have penetrated very far as a popular equivalent of the El Dorado on the other side of the Atlantic, until Hylacomylus of Saint Dié, at the foot of the Vosges, having heard the name, but being ignorant of any printed account of these voyages, except those of Albericus Vespucius, published in Latin in 1505, and in German in 1506, thought he saw in the Christian name Albericus the origin of this queer word Americ, and therefore called the country America. To corroborate this, Mr. Marcou says that Hylacomylus knew only the names Albericus and Alberico, the name being only spelt Americo and Morigo in Spanish documents that remained unpublished until many years after the death of Hylacomylus. The whole argument is of course inconclusive, in the absence of positive evidence, but it is a curious chain of probabilities, which are heightened by the circumstance that the Christian names of ordinary men are never used to designate a country, but only those of an emperor, king, queen, or prince. "Thus we say Straits of Magellan, Vancouver's Island, Tasmania, Van Dieman's Land, etc., while we have, on the other hand, Louisiana, Carolina, Georgia, Maryland, Filipinas, Victoria, etc. There is no exception to this rule in the case of Cristoforo Colombo, for no one has thought of giving the name of Cristoforia to a country, and that of Cristoforo to a town; while at several epochs many names of Colombia, Columbia, Columbus, and Colon have been given. Furthermore, in giving to Vesputio the honor of naming the New World, Hylacomylus, using the Christian name contrary to all precedent, should have named it Albericia or Amerigia or Amerigonia or Morigia, and not America."

—When Mr. Forster was here the Union League Club gave him an entertainment, in the invitations to which he was spoken of as "the Honble. William E. Forster," a mode of styling him which called forth some criticism, inasmuch as his proper title is the "Right Honorable William E. Forster." The Easy-Chair in *Harper's Monthly*, speaking of the matter, however, says "Honorable" is not the correct term to apply to members of Parliament, as we apply it to members of Congress; which we think shows

some misapprehension as to the exact nature of the breach of etiquette which the Union League Club committed. Members of Parliament, as such, are not entitled to any sign of superior dignity whatever. The letters "M. P." are generally appended to their names, but this is simply description. They become neither "Honorable" nor "Right Honorable," nor anything else, in virtue of their office. "Honorable" is, in England, an appellation reserved for the younger sons of peers, from earls to barons; it is not a mark of office of any kind, but of birth only. The title of "Right Honorable," which Mr. Forster should have received, came to and cleaves to him as a member of the Privy Council. Every cabinet minister becomes a member of this Council, and the Cabinet, though only a portion of the Council, has in modern times, as all students of English constitutional history know, taken the place of the Council and discharges its duties. When a man, therefore, obtains a seat in the Cabinet he becomes a Privy Councillor and a "Right Honorable," and as he continues, even after the ministry to which he belongs goes out of office, to be a Privy Councillor during the King's pleasure or for six months after the demise of the crown, a "Right Honorable" he remains. But the whole council is never called together except on the accession of a new monarch, and none of its members are ever summoned on ordinary occasions, except those who belong to the Cabinet for the time being.

—We wish to call the attention of those who are interested in libraries to the plan for a catalogue proposed by Mr. J. Schwartz, jr., of the New York Apprentices' Library, partly because his system is novel and important, and partly because he is one of the few men who have an idea of what a catalogue ought to be, and why. The public, of course, do not know much about the principles of cataloguing, nor is it necessary that they should. Enough for them to consult with more or less dissatisfaction the catalogues that are set before them. But librarians might have been expected to penetrate a little deeper into the mystery. Apparently they do not. In his bibliographical education each becomes familiar with some system, and when he makes a catalogue adopts that without much question. And those who think for themselves appear to turn their attention to one part of the subject or to overcoming one class of difficulties, rather than to the general theory. Prof. Jewett's chief work, for instance, was in drawing up the rules for an author-catalogue, and he seems to have apprehended the principles of a subject-catalogue somewhat indistinctly. The makers of dictionary catalogues seem to have been especially impressed with the usefulness of title-entries. Prof. Abbot's main attention (the author-part not presenting much further difficulty) was given to the subject-part, and in the report in which he explained his system he dwelt mostly on the points which distinguish that from the same part in other plans. But whether or not he worked from a definite statement of the purposes of a catalogue, he evidently had in his mind a strong feeling of the objects to be accomplished, and his system provided for answers to all the five questions which a catalogue ought to answer—which no previous one had done.

—Mr. Schwartz was called upon to devise a plan when totally ignorant of library economy, and, after examining the principles at the bottom of previous systems, proceeded to form a new one *à priori*. Each previous system seemed to him to have been made to attain a certain result; by combining them, he could obtain all possible results: a classed index would assist those who knew the subject of their book; a title-index would serve the man who remembered the title of the book he wanted and that only; an author-catalogue would guide the more numerous multitude who want the works of a given author; and, he says emphatically, "if a reader does not know one of the three factors of a book, the *author*, *subject*, or *title*, no catalogue can assist him." He had already formed a very ingenious and practically successful system for the arrangement of books by combining the three ordinary systems, topical, numerical, and alphabetical, and probably the idea of a second trio was pleasing; but his formula was not broad enough. A good catalogue ought to state not merely what books the library has by a given author, or with a given title, or on a given subject, but also what works it has in a given kind of literature, as French or German, fiction or drama. The trio should be a quartette. In Mr. Schwartz's system there is a place for the kinds of literature, but none in his statement of principles; apparently he builded better than he knew. However this may be, Mr. Schwartz's scheme, in which he endeavors to harmonize and absorb the previous systems of arranging the books, constructing the catalogue, and recording the loans, is a very important contribution to library economy, and deserves careful attention. It would not, indeed, be necessarily any better for being constructed *à priori*, any more than the paper constitutions which the Latin races have made so freely on philosophical principles are more serviceable than the empirical constitution of England, but it is more satisfactory to

the maker and to the critic. Mr. Schwartz by no means casts aside experience, but tries to profit by the work of his predecessors, intending to include in his all their systems, and assign each its proper place and work. The idea of the threefold combination is not absolutely new. Mr. Schwartz, however, with whom it is no doubt original, deserves the credit of bringing it forward prominently and of combining it with a scheme for an expansive arrangement of the library. It would be very unfair to judge him by the catalogue which was published in 1874 after a wonderfully quick preparation, and with a crude and unsatisfactory scheme of classification. He is now preparing a pamphlet in which his plan will be set forth in full, and with such modifications and improvements in detail as its practical use has suggested.

—The experiment of cheap workingmen's trains on the Eastern Railroad in Massachusetts has been on trial for two or three years, and it seems from the last report of the Massachusetts Railroad Commissioners to be an established success. The trains leave Lynn for Boston at 5.35 o'clock every morning, and returning leave Boston at 6.35 in the evening, the fare being uniform, whether for the entire trip or any part of it. In 1870, these trains carried 187,016 passengers, and in 1874, 266,560, the receipts from them in 1870 being in round numbers \$9,350, and in 1874 \$13,325. The tickets for these trains are sold only in slips of twenty each; no money is received on the cars, and the average receipts for the year per trip proved to be \$21.29. The cost of running one of these trains from Boston to Lynn appears, by the returns of the road, to be \$14.14, and therefore it seems that the cheap train earns a profit of \$7.15 per trip, or 55 cents per mile run. If the rate of progress which has hitherto been maintained is continued, the indications are that in another year the Eastern Railroad workingmen's trains will be found to be among the most remunerative, per mile run, which leave the city of Boston. The only difficulty seems likely to arise from their unmanageable size. Beginning in November, 1872, with two cars only, they had increased in August last to eleven cars, and nine is now the usual number. At first, these trains seemed to be regarded with a certain popular suspicion, especially by women, who used them but little. This is now rapidly changing, numbers of women go in them, and generally the class of passengers shows a constant and decided tendency to improvement. The Commissioners also say that the statistics of the several stations served by these cheap trains show more clearly, the longer the experiment is tried, that the receipts from the regular trains are not diminished nor are passengers drawn from them; they have apparently "called a new class of travel into existence," which, if it has any effect on the regular travel, only stimulates and develops it. The travel of the cheap trains during the past year has increased 42 per cent., that on the regular trains increasing at the same time 23 per cent. The introduction of cheap trains has, in fact, largely extended on the Eastern road the area in which labor can seek employment. The workingman can now daily carry his labor to any point from Lynn to Boston; as a consequence, the population moves more, and large numbers of people acquire the habit of travelling who had not the habit before. All this of course enures to the profit of the railroad as well as to that of the workingmen; and the managers of the Eastern road have this year "evinced a lively interest in the results of the experiment, and show no disposition whatever to bring it to a close." The Commissioners, in connection with this subject, refer to the Revere accident as the real cause of the introduction of cheap trains. That accident, in which a large number of lives were carelessly lost, made the company very much disliked in Massachusetts, and the managers felt that something must be done to "render the corporation popular." They therefore resolved to adopt the recommendation of the Commissioners and try cheap trains. The other corporations, which have had no accidents, show no disposition to follow their example, but maintain that there is no popular demand for such trains; that the population living along the line of the particular road to which the Commissioners address suggestions is "very peculiar"; that the change is either not desired or would be "most offensive" to it; and that any changes would occasion "great popular discontent." We commend this subject to the attention of those who are investigating rapid transit in this city, for there are few cities in the world in which the working population is so horribly and unnaturally crowded, chiefly owing to the fact that in the present state of affairs any rapid and cheap communication with distant places is just as much a physical impossibility as if there were a big wall, without any means of entrance or exit, built round New York. There is nothing that we can see to prevent the introduction of these cheap trains on the east side of the city as soon as the Harlem improvement is completed.

—We have more than once referred to the "Curtius Fund," raised among the philologists of the world as a well-deserved tribute to Professor

Georg Curtius of Leipsic, on the twenty-fifth anniversary of his work as a university teacher. His brief words of acknowledgment to the contributors to the fund have just come to hand in this country, and we learn from the little pamphlet that the American contributions form a very respectable proportion of the whole amount raised, being considerably more than twice as much as was received from all other countries outside of Germany, taken together; just nine times as much, it may be added, as went from England. In this hearty response to the appeal of the American committee, there is matter for gratulation, as it shows both the appreciation by American scholars of the distinguished merits of the great German teacher, and their readiness to join freely in promoting an object of which they understand the claims. Curtius has many personal pupils among our colleges, who regard him with affection and reverence, and who were active in their labors in his behalf; but they were met almost everywhere with a willing and hearty response, and the American contribution is to be regarded as a spontaneous and really intended tribute to the claims of the recipient. What rules will be adopted for the administration of the fund, and the application of its income to the encouragement of philological science, is not yet made public, but is promised soon to be so. Curtius is stated to be at present engaged upon the second and concluding volume of his work on the Greek verb, of which the first volume appeared in the summer of 1873.

—The second number of *Italia*, published the fifteenth of January, is before us, and will be found, we think, more generally interesting even than the first number. The literary and scientific articles preponderate; indeed, besides the review of the political condition of Italy by the editor, there is but one article that can be called political. This is by Luigi Luzzatti, on "The Schools of Political Economy in Italy and their Controversies." The first number, it will be remembered, contained an article by Barzellotti on the literary movement in Italy since 1848; the present number continues the series with an account of the philosophical movement in Italy since 1890, by F. Fiorentino. Of scientific interest is the notice of Odoardo Beccari's various journeys between 1865-1874 to Ceylon, Arabia, New Guinea, etc. Beccari is an eminent botanist, and few travellers of modern times have undergone such risks and accomplished so much satisfactory scientific work. One object of *Italia* being to acquaint the Germans with out-of-the-way places where the national life can be best studied, it gives in an article by Zumbini an interesting account of the mountainous region of Sila in Calabria. Raffaele Pareto discusses the subject of the Roman Campagna, giving plans and statistics for its drainage. Woldemar Kaden, who has lately become well known by his vivid pictures of travel in Italy, describes the Sabine hills, which have exercised such a powerful influence on modern German landscape painters. Art is represented by Von Reumont's account of the Collegio del Cambio at Perugia, with its splendid frescoes by Perugino. The purely literary part consists in a notice by Lang of modern works on Machiavelli; the Italian theatre since 1848, by Yorick (Ferrigni); a story by Heinrich Horner, entitled "Der Säugling"; and, as in the last number, metrical translations from Italian into German and *vice versa*. They are all interesting; perhaps the most so is an Italian version of Goethe's "Römische Elegieen," by Guerrieri-Gonzaga. The publishers have not yet fixed the time for the appearance of the following numbers. The next will, however, be issued in the course of the year, and will contain among other things an article on the musical condition of Italy.

—The death of Corot the painter, news of which came last week, is to be added, not without a certain melancholy harmony, to that of Millet, who died January 21st, and both assist in swelling a sad list of losses suffered by art in France since the war. Corot died at the age of about seventy-nine years, and Millet at that of sixty; there was a kind of sympathy in the broad, individual, and unconventional way in which nature was represented by both. Corot's landscapes are refined suggestions, delineating rather the impression made by scenery on a poetic mind than the facts of scenery; his representation of trees is the best possible definition of tree-painting as an art, distinguished from tree-drawing as botany. He excelled in effects taken from the twilight just before dawn, animated perhaps with a few hints of figures derived from the twilight of history or fable, such as satyrs, centaurs, or demigods; and he could paint, as none else could, the cloud of undeveloped leafage that settles upon a wood in the earliest spring. Millet painted the lives of the peasantry. With a scrupulous sincerity, he delineated the hardness and laboriousness of existence among the poor, yet with such mastery of selection and arrangement as made his groups intensely poetical. Since Rembrandt, probably no painter has so contrived to surround the miserable epic of poverty with such subtle chiaroscuro of fascination. Millet's delvers of the soil have a peculiar and most dramatic appearance of belonging to the earth, like

gnomes, and to the general appearance of nature amid which their lives have been formed. It would seem, to look at them, as if they had never been studied by the painter as *académies* or anatomical problems, in the atelier or dissecting-room, but only in place, as a part of the landscape which they occupy with the rocks and the trees. He said himself that his mission was to deliver "the cry of the earth"; this he did with ineffable tenderness and melancholy. Numerous examples of the art of Millet and Corot are owned by collectors in this country.

STUBBS'S CONSTITUTIONAL HISTORY OF ENGLAND.*

PROFESSOR STUBBS has long been known to be one of the highest living authorities on English history, and his book will not disappoint the high expectations of his friends. Many of its merits are patent on its face. It is filled with a mass of information rarely to be found in the pages of any English writer. The learning which is manifest in every line is not the erudition of a pedant, but the well-digested information of a man who has devoted the whole powers of his mind to a great subject worthy of study, and attempts to communicate within a moderate space some portion of the facts with which his memory is stored. There is, indeed, some danger lest Mr. Stubbs's learning should obscure from careless readers some characteristics of his work which deserve as much notice as the mere extent and grasp of his knowledge; and the best service which a reviewer can render is to direct attention to some of the salient features which give Mr. Stubbs's Constitutional History its peculiar character.

The first merit of this author's writings is that he writes history in a philosophic spirit, which (it may be added) is a totally different thing from performing that very worthless achievement which is called writing a philosophy of history. The essence of philosophical treatment of history lies in calmness of mind and in appreciation of evidence. In both respects Professor Stubbs stands prominent, and in curious contrast with several writers of powers in many respects equal to his own. He has nothing, for example, of the spirit of a controversialist, and hence, though he incidentally confutes a host of errors, never loses sight of the fact that the primary duty of a historian is to narrate history, and not to carry on a running fight with every heretic who may venture to deviate from the narrow path of historical truth. The advantage he gains from this is considerable. He finds it possible to learn something from men who hold on the whole erroneous views, and does not feel himself bound to denounce as fools or criminals persons who, like Mr. Coote, see traces of Roman influence in every line of English law; and, at the same time, he achieves what no controversial writer ever accomplishes. By the mere force of accumulated facts he, so to speak, "crowds out" of his path the ingenious fallacies of specialists and crochet mongers. Not a word is said of which Mr. Coote or Mr. Pearson, or any other believer in Roman or Celtic influence, can complain, but candid students who have weighed Mr. Stubbs's statements will feel convinced, once and for all, that (curious though the fact is) neither Romans nor Britons have exerted any appreciable influence on the growth of early English institutions. His intellectual coolness, combined with his firm hold of the canon that where evidence fails profitable speculation ceases, enables Mr. Stubbs to avoid all tendency to override a favorite theory. It is very instructive to contrast his language, with regard to the "mark-system," with the writings of Sir Henry Maine. Of the latter no one who appreciates originality and genius can speak without profound admiration. No modern writer has shown greater fertility in seizing the general aspects of law and history, or has done more to suggest and expound theoretical solutions for the difficult problems presented by early civilization. But this fertility in devising new theories is occasionally marred by a tendency to carry his speculations beyond the point at which they are supported by facts; and, instructive as are his suggestions with regard to the traces which may be found in England of the "mark-system," it is impossible not to suspect that these traces have, to say the least, been magnified by the force of imagination. Professor Stubbs, with characteristic prudence, fully admits that traces of such a system may be discovered among institutions of the Germans who colonized England, but is inclined to doubt whether the system existed at the time when the colonists passed from Germany to Britain. And he further is careful to propound a doctrine which (when once fully appreciated) cuts at the roots of a whole mass of ingenious speculation and rash dogmatism. "Among the first truths," he writes, "which the historical student, or, indeed, any scientific scholar, learns to recognize, this is per-

* "The Constitutional History of England, in its Origin and Development. By W. Stubbs, M.A., Regius Professor of Modern History." Vol. I. New York: Macmillan & Co.

haps the most important, that no theory or principle works in isolation. The most logical conclusions from the truest principle are practically false unless in drawing them allowance is made for the counter-working of other principles equally true in theory, and equally dependent for practical truth on co-ordination with the first. . . . And with respect to primitive society this is especially noteworthy." The truth is that every page of Mr. Stubbs's work is an illustration of these sentences; for a chief result of the study of mediæval history is the perception which the student gains of the fact that in uncivilized, even more than in civilized, states of society a number of different principles, which often are at bottom scarcely inconsistent with each other, exert co-ordinate influence, no one being fully carried out, and, at the same time, none being without a certain real effect on society.

This full perception of the very complex nature of institutions which, like the English constitution, stretch back in their origin into the early ages of barbaric society, has, it may be suspected, produced a second marked feature in Professor Stubbs's work—that is, the very wide and extended view which he takes of his subject. On this point, as on some others, it is well worth while to compare him with Hallam. Neither writer need suffer anything from the comparison. They have each some merits which the other does not possess. Sources of information are open to Professor Stubbs which were unknown to his predecessor, and Professor Stubbs has availed himself to the full of this most legitimate advantage. Hallam, again, wrote with perfect fairness as far as intention went, but his speculations were tinged by political bias; for at the time when he wrote, questions of constitutional history had a far more direct connection with the politics of the day than they can have at present, or will in all likelihood ever have again. From such a bias Professor Stubbs is entirely free, and, what is perhaps more surprising, appears to be scarcely influenced by ecclesiastical sentiment or prejudice. A clergyman might, for example, be expected to show something more than justice to Becket, yet no writer has ever placed the conduct of Henry II. in a fairer point of view, or shown more clearly that in his conflict with the Archbishop the King was attempting to carry out a comprehensive scheme of administrative reform, of which his ecclesiastical legislation formed only a part. On the other hand, Hallam possesses in a far higher degree than the Professor the capacity for dogmatic exposition. Professor Stubbs, in his desire not to conclude too hastily, often fails to come to any conclusion at all, and in his very effort to put every fact of importance before his readers neglects at times the paramount duty of giving due prominence to the more important parts of his subject. There is, moreover, no doubt that Professor Stubbs loses something as regards success in exposition by that wide conception of his subject which forms the main distinction between him and Hallam. Constitutional history, as conceived of by the earlier writer, is, in reality, the account of the gradual transfer of sovereign power from the crown to the nation as represented by Parliament. His theme is the variations in the balance of power between King and Commons. The subject thus considered is a comparatively narrow one, and is contained within very definite limits. The writer who deals with it can omit whole fields of legal, administrative, or social history, and, though Hallam occasionally deviates into topics which have no direct bearing on the balance of power, he himself obviously feels that such deviations are hardly justified by his subject, and on the whole restricts his labors to the narrow province which he had marked out as his own. Professor Stubbs means by a constitutional history something much wider than an account of the struggle for supremacy between Crown and Parliament. His aim is to delineate the growth of institutions. The history of the law courts, of the administration, and of social changes is quite as much part of his subject as is the growth of regal or of Parliamentary power, and it is to be regretted that he should have chosen a title which, according to ordinary ideas, ties him down to a far narrower and far less interesting topic. The width of his subject, no doubt, is really a hindrance in the way of lucid exposition, but on the whole it gives his work a very peculiar character and value. He has already thrown a flood of light on early English institutions. When the book is completed we shall, it may be hoped, possess for the first time a sketch of the great complicated, administrative, ecclesiastical, and political system which goes to make up the English constitution.

"No unbiassed observer who derives pleasure from the welfare of his species can fail to consider the long and uninterruptedly increasing prosperity of England as the most beautiful phenomenon in the history of mankind. . . . In no other region have the benefits that political institutions can confer been diffused over so extended a population, nor have any people so well reconciled the discordant elements of wealth, order, and liberty. . . . The constitution, therefore, of England must be to inquisitive men of all countries an object of superior interest."

The well-known passage of Hallam of which these sentences form part.

breathes the spirit of the generation who, believing firmly in the immense importance of political institutions, looked upon the English constitution as the most marvellous creation of political sagacity. The tone of the times has changed. There may be unbiassed observers who yet can conceive of no more beautiful phenomenon than the increasing prosperity of England, and there are inquisitive men on both sides of the Atlantic to whom the English constitution has ceased to be that object of superior interest which it certainly once was to statesmen of all countries. The cause of this change of sentiment would itself be a subject well worth careful enquiry. It is, however, after reading Mr. Stubbs's book a more natural question what is the real character and the true merit of that constitution which to the last generation seemed almost the most beautiful phenomenon in the history of mankind. Professor Stubbs is not a politician, and writes little which has a direct bearing on political questions, yet his work, which appears at first sight to be a mere mass of antiquarian knowledge, goes farther than any book with which we are acquainted to answer the enquiry we have propounded.

Any intelligent student who masters its contents will perceive two great facts, which, obvious as they are, have constantly been overlooked, though unless their bearing is fully understood the true character of the English constitution remains a hopeless enigma. The first fact has reference to what may be termed the form of the constitution, and may be summarily stated in the formula that the English constitution, like all mediæval institutions, has been from the first a mass of fictions. Of the fictitious character of the constitution as it has existed in later ages, every critic has been always aware, but it is often supposed that existing constitutional fictions are wholly or mainly due to the maintenance of ancient forms which have lost the significance they once possessed; and that this is one cause of the huge growth of fictions which obscures the real essence of English political arrangements is of course true, but it is not the whole or the essential cause. Take the institutions existing in England at any period you please, and you still will find the same phenomenon of a want of anything like rigid correspondence between fact and theory. William the Conqueror, for example, was as powerful and despotic a monarch as ever perhaps existed in a European country. The true basis of his rule was force, and nothing but force, yet William was in theory the elected king of the English people. The election was, as far as popular consent went, a farce, yet neither to William nor to his enemies did it probably appear a matter of unimportance. It made him, so to speak, in his own eyes and in those of his subjects, a legitimate monarch. It is again perfectly clear that Henry I. or Henry II. wielded an authority scarcely controlled by anything but by the necessity of keeping up the routine of government, yet neither to themselves nor others did these kings appear despots. To consult their council, to yield, in some respects, to the authority of the church, to keep, or pretend to keep, rights or customs which they had sworn to maintain, no doubt seemed to the kings themselves and to all their contemporaries duties which, though often neglected, were real duties. When you ask (and to have pointed out this is one of Professor Stubbs's great merits) whether such rulers were despots, you, in fact, make an enquiry to which it is impossible to give an answer in the terms in which it is made. They had practically powers which the most powerful modern monarch does not possess, but the exercise of these powers was, in theory, limited by customs, by formulas, and by habits which had a very vague and uncertain influence, but still could not be set aside. The difficulty of determining the actual limits of the power wielded by the Angevin kings is exactly the same in character as that which meets the enquirer at all stages of English history. He is perplexed by the strange mixture of fiction and fact till he hardly knows which is shadow and which is substance. This element of confusion is not peculiar to English history. It is of the very essence of mediævalism. The duties and rights of lord and vassal, the relation of church and state, the true position of the German emperors—who were in fact German rulers of very limited power, but were in theory the successors and representatives of the Roman Cæsars—are each and all obscured by the intermingling of fact and fiction. The true peculiarity is that the constitution of England, being built up on the foundation of mediæval institutions, retains in its form the character of an age of which the spirit has passed away from the modern world.

The second great fact has reference to the spirit rather than to the form of English institutions, and may be expressed in the assertion that their one essential merit has been to secure the rule of law. Many characteristics constantly ascribed to the English constitution it has never as a matter of history possessed. It never, for example, was really an arrangement for placing the government in the hands of the wisest

or best of the nation. It never, again, until quite recent times, was a system based on anything like complete representation of the people. What we call representative government was, as Mr. Stubbs clearly shows, originally the mere outgrowth of a very complicated scheme of administrative arrangements; nor, further, did the English constitution at any time completely provide for the government by the nation in accordance with the national will. To use such terms as the will of the nation, the rule of the majority, or the influence of public opinion, in reference to the times of the Plantagenets or of the Tudors, is to fall into the worst of anachronisms, and to apply to former ages expressions which so applied are either meaningless or delusive. So far is it from being the case that England has always or generally been ruled in accordance with the national will, that even so late as a century ago the nation had not practically the power to choose by what ministers it would be governed. George III. kept one incompetent premier after another in power when the mass of the people certainly desired to keep Chatham in office. At an earlier period neither king nor commons dreamt that the people of England had any right to determine who should be the servants of the crown. As long, in fact, as enquirers strive to find in the original plan of English government what would now be considered the most essential characteristics of a popular institution, they are certain to fall into error, because they attempt to discover excellences quite foreign to the character of the English constitution.

Students who wish to understand the ground on which it really deserves admiration should take up a book like Mr. Stubbs's history, dismissing all preconceived ideas, look simply at the historical facts of the case, and ask themselves what has been throughout the essential peculiarity of English political development. The one marked characteristic will in such examination be found to be that, through a fortunate combination of circumstances, the rule of law was established in England at a time when it was unknown in every other great country of Europe. This supremacy of law has been the feature which has struck all acute observers of English political life. It was apparent to Comines when he wrote that "among all the world's lordships of which I have knowledge" England is "that where the public weal is best ordered and where least violence reigns over the people." The same feature at a later age struck Voltaire when he took refuge in a land of law and order from the dangers of illegal arrest and arbitrary imprisonment. It is, again, the one salient feature of the rule of the first two Henrys. These kings were in one sense despots, but they built up a great administrative system which established the power of the law throughout every part of their kingdom, and which, harsh and oppressive as it was, by the mere force of rigid routine at once curbed the lawlessness of feudal barons, and to a certain extent checked, if not the power, yet at any rate the arbitrariness, of the crown itself. Mr. Stubbs's present volume, taken together with his admirable collection of charters and documents illustrative of English history, gives the fullest account yet produced of this grand system of administration, which was planned in outline by William the Conqueror, and partly developed by the first and second Henrys. He directs attention to the curious paradox which lies at the basis of English institutions, that the great power of the crown was in a sense the cause of the ultimate freedom of the people. In his pages intelligent readers may see how the power of the king first checked the lawlessness of the nobility, then established a uniform system of law and of direct taxation which still forms the foundation of the English scheme of government and administration, and lastly accustomed the English people to that rule of the severe but always fixed and definite law which is the real glory of English institutions, and which, in ages when arbitrary government was universally established throughout the rest of Europe, made the English constitution, with all its obvious defects, seem the most beautiful phenomenon in the history of mankind to all statesmen and theorists interested in the welfare of the human species.

THE PRINCE CONSORT.*

IT must be admitted that Mr. Theodore Martin had a difficult task. He was obliged to be fair and at the same time to be flattering—to please his own conscience and yet to please the Queen. Her Majesty, it is known, has established what the French call a *culte* of the memory of her late husband. She has been, throughout Mr. Martin's work, his constantly implied coadjutor; she has furnished the greater part of the material used; and she has, in a measure, prescribed the key in which the performance was to be pitched. Mr. Martin, on the other hand, strikes us as a man of sense and of

taste—not a man to enjoy working with his hands tied—tied even with golden cords. He has solved the problem very happily, and succeeded in being courtly without being fulsome. The reader, indeed, forgives an extra genuflexion now and then in view of the cause at issue. All biographers stand pledged to take their heroes very seriously, and it is not always that exaggeration of praise is so venial a sin as in the case of the subject of Mr. Martin's memoir. The Prince Consort was an eminently honorable and amiable man, and in being summoned to admire him we are summoned to admire the great amenities and decencies of life. It is probable that if he had not been elevated by fortune into a position of great dignity, the eyes of the world would never have found themselves very attentively fixed upon him. But his merit and the interest of his life lay precisely in the fact that, without brilliant powers, he contrived to adorn a brilliant position. Fortune offered him a magnificent opportunity to show good taste. The Prince Consort appreciated his chance, availed himself of it to the utmost, and has bequeathed to posterity an image of the discreet prince *par excellence*. We take it that, if he had chosen, he might have done quite otherwise. His marriage was a love-match, and the Queen to the end seems to have been determined it should remain one. Her Majesty admits us into her confidence on this point with a frankness which is worthy to become a classic example of virtuous conjugal fidelity.

Mr. Martin gives an agreeable sketch of Prince Albert's early years, which were apparently passed in no more brilliant fashion than those of any well-born young gentleman with a taste for study. He was handsome, amiable, very well-behaved, and, if anything, a trifle too serious and high-toned. He was not fond of ladies and compliments, and thought they made one waste a great deal of time. From the first he was religious, as became a descendant of the first German prince who had come to the help of Luther. Mr. Martin gives a great many extracts from letters and journals, which, however, rarely offer anything salient enough to quote. The Prince's writing, like that of the Queen, though in a much less degree, is rather pale and cold, and tends to give one the impression that, in royal circles, the standard of wit is not necessarily high. Here are a few lines from one of the Queen's letters, written during a visit to Louis Philippe in 1843: "The people are very respectable-looking and very civil, crying 'Vive la Reine d'Angleterre!'" The King is so pleased. The caps of the women are very picturesque, and they also wear colored handkerchiefs and aprons, which looks very pretty . . . It is the population and not the country which strikes me as so extremely different from England—their faces, dress, manners, everything." Quite the best writing in this first volume of Mr. Martin's is to be found in his numerous quotations from the Baron Stockmar, a personage who has not enjoyed a wide celebrity, but who, without exactly being called one of the occult forces of history, exerted a very large private influence. He was a simple citizen of Coburg, where he practised medicine and became intimate with the Queen's maternal uncle, Prince Leopold, later King of the Belgians. Through him he was made known to the young prince and princess, before their marriage. He occupied no high positions, and though he was charged with an occasional political mission, the part he played was generally that of informal, confidential adviser. He was admirably fitted for it by his extreme integrity and sagacity, and the advice he gave—and which seems to have ranged over the most various points of public and private conduct—was remarkable both for its shrewdness and for its elevation and purity. His relation to the young Prince and to the Queen was one of paternal solicitude, and they apparently showed him in return an almost filial deference. Baron Stockmar seems to have been afraid that the Prince would prove rather too light a weight. "His judgment is in many things beyond his years," he writes in 1839; "but hitherto, at least, he shows not the slightest interest in politics. Even while the most important occurrences are in progress and their issues undecided, he does not care to look into a newspaper; he holds, moreover, all foreign journals in abhorrence." In this respect, later, however, the Prince left nothing to be desired. An active politician he of course was forbidden ever to become; but he was an attentive observer and a conscientious, an even laborious, reasoner. Baron Stockmar's good counsels on his marriage were especially opportune; there is something almost touching in the young man's devout desire to accommodate himself irreproachably to his high position. He was by nature discreet and cautious, and of a temperament, we should imagine, the reverse of nervous, and it probably cost him no great effort to keep himself carefully in hand. The difficulties of his position, however, were not small, and he had to resist encroachments as well as to avoid making them. His dignity had constantly to contend with the imputation, more or less explicit and ironical, as might happen, that he was where he was

* The Life of His Royal Highness the Prince Consort. By Theodore Martin. Volume I. New York: D. Appleton & Co. 1873.

simply that the Queen might have heirs. But whatever there might have been originally of a trifle grotesque and anomalous in his situation, the Prince effectually lived it down, as the phrase is. He never became positively popular, and to the end of the chapter, we believe, the mass of his wife's subjects had their little joke about his imperfect horsemanship and seamanship; but he inspired a great deal of tranquil respect. Mr. Martin, indeed, offers evidence that the Prince was a good rider, and that early in his English career he proved his competency in the hunting field. After that he let the matter alone. He let it too much alone, probably, to please the lusty British public. His tastes lay in another direction, and were of the so-called elegant sort. He preferred the fine arts to the turf, and "encouraged" concerts rather than pigeon-shooting. He remained always a German in character, as he had excellent reason to do, but he played his part of Englishman very creditably. It was a part that had to be learned from the beginning almost, for up to the eve of his marriage he spoke English but poorly.

Mr. Martin's first volume is a record of the domestic life of the royal couple up to the year 1848. He touches a good deal, of course, upon public matters—often to an extent that leads one to charge him with being conscious of a want of lively interest in the Prince's more immediately personal history. The long and detailed chapter on the Spanish Marriages, for instance, strikes one as not being in the least biographical matter. The only relation these events had to the Prince was that during a visit of the Queen to Louis Philippe, in which he accompanied her, the French King had given a verbal assurance that no such projects were entertained. The Prince reformed the royal household, and put it on an economical footing, became Chancellor of the University of Cambridge, proposed to the Duke of Wellington the establishment of "courts of honor" to replace duelling in the army (a proposal which the "Iron Duke," thinking perhaps that it savored of German transcendentalism, received without enthusiasm), bought, with the Queen, the domain of Osborne, and spent much time and thought in planting and decorating it, established and conducted, baton in hand (as we infer) the so-called "antient concerts," set on foot the fresco-painting in the Houses of Parliament (ungrateful memento as this now appears), ordered pictures, composed songs, laid foundation-stones, studied industrial processes, and through all and above all was the most caressed and adored of husbands. Such conjugal felicity as that of the Queen and Prince would be remarkable in any walk of life, and we suppose that in their exalted station it is peculiarly exemplary. The Queen is determined we shall not lose a single detail of it. She chronicles that after her various confinements his "care and devotion were quite beyond expression. No one but himself ever lifted her from her bed to her sofa, and he always helped to wheel her on her bed or her sofa into the next room. For this purpose he would come instantly when sent for from any part of the house; . . . he ever came with a sweet smile on his face. In short, his care of her was that of a mother, nor could there be a kinder, wiser, or more judicious nurse." When he makes visits or receives them she registers with delight the favorable impression he produces, and is immensely gratified at the French compliments paid him by the Emperor Nicholas. Her Majesty's notes on this subject have a quality which bespeak some sympathy for the biographer who is compelled to interweave them with his narrative. The truth is that the Prince Consort was not in any degree, save through his marriage, an eminent man; and without resorting, in the case of this memoir, to the homely adage which restricts the material of which one may attempt to make a silk purse, we may say that even all Mr. Martin's courtly ingenuity and pulling and stretching of his material, quite fail to elevate his subject to heroic proportions. The Prince, like many other gentlemen, was a man of heart and of a good deal of taste of a limited kind, who took life seriously, and cherished an eminently respectable desire to do his duty in that station in which it had pleased Heaven to place him. He was an exemplary husband and father, and a placid dilettante, less in the large way than in the narrow. We suspect that his great modesty and good sense would have been somewhat ruffled by the prospect of being commemorated on the extensive scale of these volumes, which, although they do not reveal to us another unsuspected Marcus Aurelius, confirm our friendly and even tender estimate of him. The whole atmosphere of Mr. Martin's book, to tell the truth, is charged with an oppressive mediocrity. As to this, the book is really a very queer one. We are in the company of very great people; but, bless us, how extremes meet! The work is densely interlarded, as we have said, with notes and communications from the Queen's hand, and her Majesty's touch and accent are really irritating to the nerves, in their flatness and vapidness. The work is worth reading, however, for it provokes one to philosophic reflections. If some of the bad Roman emperors had

not descended into the circus, and if Frederic the Great had been less of a scribbler, we would say that nothing could be more characteristically modern than this descent of a British monarch into the circulating-library. As it is, there are touches and oddities about it which make it modern enough. And without wishing to philosophize, many of Mr. Martin's readers will find much remuneration. The constitution of the human mind as yet is such that there is a great chance for a book which can offer you a bit like this: "Victoria was safely delivered this morning, and though it be a daughter my joy and gratitude are very great. . . . V. and the baby are perfectly well."

Half-hour Lectures on the History and Practice of the Fine and Ornamental Arts. By William B. Scott. Third Edition. Illustrations by W. J. Linton. (New York: Scribner, Welford & Armstrong.)—It is a popular notion that a painter cannot be a good critic of painting, as though the preference inherent in choosing that branch of art, or a personal interest in the subject, deposed the judgment. The reverse is almost absolutely true, viz., that no one, not a painter, can adequately judge of a picture; and though men properly qualified by practice and study often err in comparative estimates of art, especially when they themselves enter upon it, it will be found that the mistake lies generally in overestimating themselves and their work rather than in underestimating their rivals.

Mr. Scott, whose reputation as an artist is above that of the average of English painters, is a good argument against the popular fallacy alluded to, and a still more striking illustration of *ne sutor ultra crepidam*. So long as the author adheres to his "history and practice" he does well; his studies have been wide, his collation is concise, and his book of great interest and value, though in style far from what a third edition should have made it. When, however, he attempts philosophizing on art he is *ultra crepidam*. He has the common tendency of writers who cannot generalize to suppose that everything must begin with some general statement, which is certain in the main to be incorrect. He opens this book with the following:

"Whatever touches us most deeply in the forms or motives of art dates no further back than that epoch in the history of the world when the great and wonderful change began from paganism to Christianity, from philosophy to revelation, from sensuous refinement to moral self-abnegation. When we pass beyond our own era, we enter an atmosphere foreign to modern vital principles; we cannot live in it—we may only indulge in it; it affects us intellectually, not feelingly. The fundamental ideas of the ancient artists are not ours, their habits have no interest to us; we cannot help thinking of them as having lived abstractively from sympathies and passions, cold and deaf to human cares and enjoyments."

In this passage the author has put as many errors as assertions. *As art*, nothing touches the highly-cultivated taste so deeply as the remains of Greek sculpture, and it is sufficient to quote this opening sentence to show that the writer's perceptions of art are hopelessly mixed up with some of those associated elements of sentiment and ecclesiasticism which have for the most part clouded the sky of modern art. For the rest, it would be curious if Mr. Scott could show that any such great and wonderful change has yet taken place in the world at large, or that modern society has been distinguished less for "sensuous refinement" and more for "moral self-abnegation" than that in which Socrates and Plato lived. Mr. Scott lives, we believe, in London, and can collect materials for a judgment without much trouble. As for his expression, "When we pass beyond our own era, etc.," it is hard to know what it means. It is a logical, analogical, and symbolical muddle, from which we may extract the possible meaning that we should not have been happy if we had lived with our present views and habits in the times anterior to the Christian era; which, as a generalization, is another absurdity, because there are undoubtedly large sections of the earth's surface where life is passed very much after the antique manner, and where many English travellers seem to be willing to accept the conditions of existence. If it means that we have no place in the thought of antiquity, it is equally untrue, for the thought of the ancients is part of our every-day education, and their art the basis of all our art. "The fundamental ideas of the ancient artists are not ours, etc.," is exactly controverted by what the author says on another page, that "beauty is the inspiration" of genius, for beauty in some of its forms has ever been, as it is now, the "fundamental idea" of all pure art; and the higher the education of the student of art rises, the more clearly does he perceive that Greek art contains for form, as that of Venice does for color, the essential or "fundamental" ideas of all subsequent genuine work. The author seems to have fallen into the superficial notion so common with a certain class of German critics, that human nature in B.C. 900 was in some incomprehensible way different from that of A.D. 1870, and that because Greek artists are known to us only by stone they must have been stone, intellectually and morally, "hav-

ing lived abstractively from sympathies and passions, cold and deaf to human cares and enjoyments."

In fact, the moment our author ceases to deal with ascertainable data of practice or history, he becomes unreliable; and when he ventures into speculation or metaphysics he encumbers his book with unprofitable rubbish. Thus he tells us that Marc-Antonio was inferior to the German contemporary engravers, and adds: "Indeed, his copying thirty of Dürer's woodcut prints of the Passion of Christ . . . is an acknowledgment of his own inferiority in design at least"—as if that had anything to do with his inferiority, or the reverse, to his rivals the German engravers. Of Hogarth he remarks: "It is his invention, his inflexible tragic and satiric feeling, repulsive and gross as it is, that places him in the first rank of art"—the fact being that while Hogarth's "tragic and satiric feeling" places him in the first rank of satirists, he never was in the first rank of art. Finally, not to multiply instances, he speaks of lithography (p. 181) as "properly called chemical printing, in distinction from other methods which are purely mechanical," whereas there is no such distinction in the case, the term "chemical printing" being as inapplicable to lithography as to etching.

BOOKS OF THE WEEK.

Authors.—Titles.	Publishers.—Prices.
American Public Health Association, Reports and Papers, Vol. I.	(Hurd & Houghton) 6 50
Abbott (Rev. E. A.), How to Write Clearly.	(Roberts Bros.)
Allgemeine Deutsche Biographie, Part I, swd.	(F. W. Christern)
Bowles (Emily), In the Camargue: a Tale, swd.	(A. K. Loring) 0 75
Baxter (Dr. H. W.), Spain, 2 vols.	(D. Appleton & Co.)
Bible Memoirs, swd.	(A. Benham & Co.) 0 20
Becker (B. H.), Scientific London.	(D. Appleton & Co.)
Becher (Rev. H.), Short Exercises in Latin Prose Composition.	(Macmillan & Co.)
Craven (Mme.), The Veil Withdrawn.	(Cath. Pub. Soc.) 1 50

Fine Arts.

THE WATER-COLOR SOCIETY'S EXHIBITION.

III.

WATER-COLOR offers peculiar temptations to artists to introduce a style of figures into landscape which are a little more important than those usual in oil-color scenery, and which interrupt the out-of-door sentiment while by no means satisfying the closer study accorded to legitimate figure-groups. Of this class, the large parade of children in the autumnal woods (263), by Mr. Bellows, is an instance. This rather unlucky family of girls destroy the privacy of the woods, yet are not in the least interesting as child-characters. Birket Foster has introduced much of this perfunctory figure-furniture, trailing off from the salencies of his landscapes in such a way as to build out the lines of the composition; and all the cartoon painters seem to think that the trick may be imputed to them for righteousness. Singularly enough, these groups of figures, unable to lie quiet in the corners and not fit for exhibition in the focus—the hobbledehoyhood between figure-painting and landscape-painting—are always groups of hobbledehoys. Great girls, with awkward hands and peasant sun-bonnets, and boys of terrible vacuousness, intrude into the picture with the self-dissatisfaction and unsatisfactoriness of their class. After these upholstery-figures, there is immense relish in the most capricious sketches of Mr. Homer, in the vaguest gossips or sea-side loungers of Mr. Bush, or even in the styleless and illustration-like group of turkey-shooters of Mr. Scott.

Mr. Bellows, in fact, with the other introducers of populating figures in the style of Birket Foster, is a determined architect of compositions. Every landscape he finishes has its allotted centre and periphery, its prominent object and its leading lines, its thread of white ducks or its pair of promenaders in strong relief, and the trick is titillating until you detect it. He paints like no English water-colorist; yet the routine and stenciled-work of the English water-colorist have artistically deadened him. His "Devonshire Cottages" and his "View near Torquay," his Surrey landscape and his elegant little india-ink sketch, are beautiful to the point of being pretty. He works, too, with megilp or other varnishy substance, so that his touches collect like corpuscles or coagulated particles, as a pen will write on a porcelain slate; this vehicle, which allows him to use any quantity of body-color without losing transparency, has its advantages, and seems to comport well with his way of seeing nature; but it enhances, for his water-colors, the look of sponginess and deliquescence which even in his oil pictures is sufficiently unsatisfactory.

Mr. James D. Smillie, too, in his pair of large subjects in distemper, introduces figures with a strong intention to make them mean a good deal. The lovers walking abroad in "Autumn" and the playing child watched by her mother in the "Spring," are placed where the eye is instantly clamped down upon them like an iron on a magnet; they are expressive, and are not

too big, but they are not sufficiently studied. The pair of pictures in question, though they have that set purpose of being ornamental we observe in fire-screens, are skilfully treated; but they do not define their place in art between the sentiment-picture, meant to talk to the heart, and the decorative picture, intended to fill up an architectural space. A very finely pencilled composition by Mr. George H. Smillie, representing the Yo-Semite scenery, is rather unfortunately not open to sale, though it has attracted much artistic attention.

The painter who feels that his best, his sweetest mission is to please, should not, like Mr. J. G. Brown, extinguish a pretty little girl in a Louis XIV. wig. The confusion of epochs is distracting, and the most careful work given to outlining an accidental zigzag shadow on a cheek will not please in the case of a little female dandy with a drawing-room air sailing boats in the rustic horse-trough. Mr. E. L. Henry, who is a very delightful and entertaining and thorough antiquarian, seems not to have the slightest idea of handling water-colors. In his scene with the old yellow cabriolet, the background is sketched with a timidity that positively makes the spectator uncomfortable; and again, a slip, unusual with Mr. Henry, has made the head of the rider quite disproportionate to that of the footman. Mr. Reinhart shows a good study of two French exquisites at sword-practice, full of alertness and grace, though a slight thing. Mr. W. L. Sheppard has a black voter succumbing to the wiles of a ward politician, designed in a rude and common manner, yet not inartistic, and, we need not say, strong and pat in expression. Vaini, the resident Italian, contributes several studies that are positively hateful for their etiolated rococo folly, their immodest pretensions of effect, looseness of design, and a general valet-like insolence not easy to define more exactly. It is the art of the modern Roman school brought down to the servants' hall.

The study of grapes by Mr. W. J. Linton is perfect for firm, bloomy plumpness, and easily the best fruit-study exhibited. That of the "Clove in the Catskills" is delicate and rather mincing in its movement of water, reminding one of Mr. Ruskin when most deeply impressed and most completely paralyzed by conscientiousness. The flower-studies of Mr. Lambdin have been alluded to before, but we may once again give prominence to his well-balanced campanili of tiger-lilies cut against an excellent sky, and his rose-bush, overrun and borne down by a lushy English ivy—a composition which amounts almost to a drama, and certainly does to a parable. To convey a landscape-feeling along with groups that are substantially still-life groups, has been a pleased object of study with many flower and bird painters, e.g. Mr. Lambdin and Miss Bridges—an object revived, we may say, since the studios were flooded by the Japanese patterns, with their statuesque groups of irises or tortoises in front, and the quick dash at an illimitable horizon above; and no trick of composition so well carries the thoughts out of the sick-room air of the still-life painter's studio, with its varnish-bottles and porcelain saucers, its anxious-looking flowers, grape-bunches, and lemons half-cut through. Our obligation is not small to that nature-loving race which has added a sky-line and an outlook to our ornamental panels and screen-paintings. Collections like the present, with their varied experimen's in decorative effect, are much occupied with the relations of object-painting, whether of birds, animals, or nosegays, towards the landscape setting. To paint a plant is well enough; but to add that supplementary study which sets it with its natural relief against a chosen sky-motive, helps the suggestion and the escape of the mind almost to infinity. The dishevelled sheep and shepherdess of Mr. Magrath are in keen harmony with his rolling moors and blowing sky; it would be hard to explain just what loss of sentiment or contraction of the perspective makes the sheep-drawings of Brissot mere animal models, and nothing more; yet the eye instantly seizes the former as a poem, and the latter as an academic exercise. The dogs, by Le Jeune, have the gravity and meditative purpose of dogs, and define a storied epoch before or during the hunt, while they make the recital real by the appropriate solidity with which they stand out in the picture. On the other hand, the lions and tigers of Mr. Wolf have the cruel poison of the Zoölogical; it would be but another step in art to introduce the arsenic under their hides and promote them to taxidermy; they are painted with the thinness and flatness of transparencies, and the limner plainly shows the metaphysical English trait—he wastes himself in guesses at what the lion and tiger are thinking about, and in a sort of moral censure of their low, prowling ways, instead of giving his best thoughts to the expression of light, shade, and relief, so as to make the eye believe in the solidity of his forms.

To return to the unadjusted balance or oscillation of figures with landscape in some of these water-colors, there is reality in the forcible aid which Mr. J. D. Smillie's figures, in his "Idle Hours," give to the scenery. This drawing by the society's president shows each element consciously aiding

the other, while the human element is interesting enough, with its little tale of idle summer love, to bear its place in the foreground. If we compare it with the almost insulting presence of Mr. Bellows's great girls precipitated into the whispering woods—with Mr. Bricher's clay-cold pairs inserted at the proper place like statuettes in his avenues—with Prout's view of the Riva dei Schiavoni thronged with lay figures in nightcaps, *obligato* fishermen, causing us to understand in a new sense the flattering remark that Prout paints crowds one wants to get out of the way of—we shall see how much better a little thoughtful figure-work, even in such slight cartoon-drawings, is than the determined rush of vapid supernumeraries, whipped into a scene to give it a human and affable air. It is because the *aquarelle* seems especially taxed with this billeting of meaningless street-crowds or ornamental Birket-Foster groups, that the subject has been dwelt on here.

Mr. Richards, having long since invented the grave coast-scene in monochrome, with waves carefully cut in every facet like a gem, must be struck with the long procession of disciples he has involuntarily created. "Most can raise the flowers now, for all have got the seed." His best example this year is the group of cedars at Atlantic City, with their twisted, athletic limbs and foliage shorn sheer off to a level on the windward side, set on a coast all variegated with the ribbed patterns of drifting sand and the *moiré* of pools left by the tide. Of his obvious imitators, Mr. Bricher, in his large Halifax scene, gives the more obvious qualities of the original, but there is a striking difference—in the unfeeling writing-master's flourishes in body-

color with which the curl of the breaker and the high lights on the rock are defined. In Mr. Richards's marines every touch has the expression of soul. It seems to be hardly so, however, with the same artist's touch for foliage; more than once, as in the foreground trees of 298 and 174, he shows a new, blotted style that has neither generalization nor definition. Mr. Nicoll's late efforts in landscape or marine exhibit a peculiar sponged-out appearance, not referable to any effect we recollect in nature; the landscapes, covered with a sort of yellowish mucus that obliterates all articulation, are sickly-looking and uninviting; the sea-studies are often like views into a dirty aquarium; and where a strong effort is made to express the violence of strong spray, the motion is rather turbulent than imposing. The windiest air and the wildest foam act according to laws, and it is a better thing to try and express those laws, however imperfectly, than to express the confusion of mind which one is apt to feel in looking at such phenomena; a little more attention, and optical analysis will convince an artist that a riot of dashing spray looks otherwise than powder beaten out of a peruke, and that it expresses its wildness by rules which are the central part of the emotion it inspires.

The collection, in substantially its old form, will be opened for exhibition in Brooklyn next week, the sold pictures being replaced by others; and the continuation of the exhibition over so long a period between the two cities gives us opportunity for this extension of a notice now partly retrospective.

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